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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Office of Energy Projects

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TransCanada Hydro Northeast, Inc.

Wilder Project No. 1892-026 -

Bellows Falls Project No. 1855-0145

Vernon Project No. 1904-073

New Hampshire/Vermont

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WILDER PROJECT - Evening Meeting

Kilton Public Library

80 Main Street

West Lebanon, New Hampshire 03784

Monday, January 28, 2013

The evening scoping meeting, pursuant to notice,  
convened at 7:20 p.m., before a Staff Panel: weather delays

1                   KEN HOGAN, Project Coordinator, FERC  
2                   MARY GREEN, Geology and soils, FERC  
3                   RALPH NELSON, Geology and soils, FERC  
4                   MARY McCANN, Endangered species and  
5 macroinvertebrates, FERC  
6                   MICHAEL SEARS, Fisheries and aquatic resources,  
7 FERC  
8                   BRETT BATTAGLIA, Terrestrial resources, FERC  
9                   ADAM BEECO, Recreation, land use and aesthetics,  
10 FERC  
11                   ANGIE SCANGAS, Water resources, FERC  
12                   ROBERT QUIGGLE, Archaeological and cultural  
13 resources, FERC.  
14 With:  
15                   JOHN RAGONESE, FERC License Manager,  
16   US Northeast Hydro Region,  
17 TransCanada Accompanied by EDWIN NASON and EARL BRISSETTE  
18  
19  
20  
21  
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23  
24  
25

1	LIST OF COMMENTERS	
2	Geology and Soils or Erosion Concerns	
3	O. ROSS McINTYRE, M.D., Landowner, Lyme, NH	34
4	LINDA FOWLER, Town Trustee, Hanover, NH	39
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25		



1 P R O C E E D I N G S

2 MR. HOGAN: Tonight's meeting is being recorded  
3 by a court reporter, so I ask that you speak your name,  
4 affiliation if you're with some organization, and so we can  
5 capture it on the record. We're definitely interested in  
6 your comments.

7 My name is Ken Hogan, I'm with the Federal Energy  
8 Regulatory Commission, and I am the Project Coordinator for  
9 the relicensing of the Wilder project and the other four  
10 projects on the Connecticut River down to Turners Falls.

11 I want to turn your attention for thank you all  
12 for being here tonight. The intent of this meeting tonight  
13 is for us to hear your comments and concerns, your  
14 compliments about the Wilder project, and we're really here  
15 to hear your thoughts on the project.

16 The format of the meeting is we're going to have  
17 Mary Green here, with FERC also, give a little bit of a  
18 background of FERC and who we are; and then I'm going to  
19 talk a little bit about the FERC licensing process that  
20 we're going to be engaged in now for the next five years or  
21 so. And then we're going to go through the issues that FERC  
22 has identified, resource by resource, in the scoping  
23 document; which is this document here. And when we get to  
24 that point, I'll tell you what pages we're on.

25 Before we get to the scoping issues, TransCanada

1 will give a presentation of what their proposal is for the  
2 project; and then while we're doing the resource issues,  
3 they will also inform of us of what studies they've already  
4 done regarding each individual resource, if any.

5           At the end of each resource area, we're going to  
6 turn to the public and ask for any comments or concerns with  
7 the specific resource, and give you an opportunity to let us  
8 know what your specific concerns are with that resource  
9 area. When we get done with the resource areas, we have six  
10 people who signed up to speak. They'll come up to the mic  
11 for anybody who wants to come up and talk, we'll call you by  
12 name.

13           That sound like a plan? And I'm flexible. So  
14 if you don't like it, we can do something different.

15           All right. So Mary, if you want to start with  
16 FERC and who we are.

17           MS. GREEN: All right.

18           AUDIENCE: So I assume at some point in time  
19 we're going to be introduced to this wonderful panel of  
20 people here--

21           MR. HOGAN: You know what? That's a great idea.

22           AUDIENCE: -- at the table, taking notes.

23           MS. SCANGAS: Angie Scangas, water resources.

24           MR. QUIGGLE: Rob Quiggle, archaeological and  
25 cultural resources.

1 MR. SEARS: Michael Sears, aquatic fisheries  
2 resources.

3 MS. McCANN: Mary McCann, aquatic ESA and  
4 macroinvertebrates, mussels.

5 MR. BATTAGLIA: Brett Battaglia, terrestrial  
6 resources and threatened and endangered species.

7 MR. BEECO: Adam Beeco, recreation and land use.

8 MR. NELSON: Ralph Nelson, soils and geology.

9 MR. HOGAN: And I have with me my attorney.

10 MR. BEECO: The very back of the room.

11 MR. HOGAN: Why don't you stand up, Elizabeth?

12 MS. BLADEN: Elizabeth Bladen with FERC. I'm the  
13 attorney for the project.

14 MS. GREEN: I'm Mary Green again, I'm also doing  
15 geology and soils.

16 FERC, the Federal Energy Regulatory Commission.  
17 We are an independent agency that regulates the interstate  
18 transmission of electricity, natural gas, and oil. For our  
19 organizational structure, we have five commissioners that  
20 are appointed by the president. Our division is under the  
21 Office of Energy Projects; we are Hydropower Licensing,  
22 which includes relicensing existing projects and licenses  
23 for new construction.

24 Our hydropower jurisdiction comes from the FPA.  
25 Commission authorization is required for nonfederal hydro

1 projects that are located on navigable waters, located on  
2 public lands of the U.S., using surplus water from a federal  
3 dam and located on commerce clause waters constructed after  
4 1935 and connected to the grid.

5 So who we are and what we do, in going through  
6 the licensing process.

7 MR. HOGAN: Quick show of hands; who has heard of  
8 FERC before?

9 (Show of hands)

10 MR. HOGAN: Room full of experts.

11 MS. GREEN: And you learned it all from my  
12 presentation.

13 (Laughter)

14 MR. HOGAN: How many of you are familiar with the  
15 Integrated Licensing Process, so I can figure out -- most?  
16 We've got a few folks here who are not.

17 The handout at the table up front, with the  
18 colorful flow chart, did everybody get a copy of that?

19 This is the Commission's Integrated Licensing  
20 Process. And I'm not going to go into any detail on the  
21 green boxes; in fact, I'm probably just going to cover the  
22 first row here, is that okay? Carries through pretty much  
23 the next year.

24 So I want to, it's the next few months that are  
25 kind of critical to us in this stage; currently we are on

1 Box 4, where the Commission holds its NEPA scoping meetings;  
2 that's what we're doing tonight.

3           And again, we're interested in your comments.  
4 Box 5 is an opportunity to file written comments, study  
5 requests, and comments on the PAD. So comments on the  
6 proposal, comments on the PAD and study requests. And I'm  
7 going to get into study requests and comments in just a  
8 second.

9           Once those comments and the transcripts from  
10 these meetings that we have are in the Commission's record.  
11 The next step is for TransCanada to put together a study  
12 plan or to address these specific issues that have been  
13 raised throughout the scoping process; and wherever  
14 information gaps may exist, they need to be filled.

15           After that process, once that proposed study plan  
16 comes out, there will be a public document, and there's a  
17 90-day period of time where stakeholders can engage with  
18 TransCanada to develop what we call a revised study plan.  
19 So we have a draft and then a final.

20           The Commission's regulations do require one  
21 meeting, after they provide a proposed study plan, and then  
22 again we have this window of time where we try to -- we call  
23 it the informal dispute resolution process on the studies;  
24 try to work out the various with the applicant and FERC, and  
25 things of that nature.

1           So John, I'm assuming that you're planning to  
2 have multiple meetings?

3           MR. RAGONESE: Just one.

4           MR. HOGAN: Just one? Okay.

5           MR. RAGONESE: Really, we are not setting a lot  
6 of expectations as to the number; we really want to take  
7 issues, get them organized, get our hands around them, and  
8 then in addition probably, at some point I'm going to want  
9 to identify stakeholders that have a particular interest in  
10 a resource, so that we don't have a multitude of people all  
11 trying to help develop and revise a study plan, really get  
12 more of a working group approach to developing a final study  
13 plan.

14           MR. HOGAN: This is John Ragonese with  
15 TransCanada.

16           So after the revised study plan gets filed,  
17 there's another comment period for stakeholders to say 'hey,  
18 my issue hasn't been addressed' or 'I thought my issue was  
19 addressed but apparently it wasn't' and that those comments  
20 come into FERC. And once we receive those comments, the  
21 Commission will make a ruling on the study plan, on the  
22 revised study plan, and we will issue a study plan  
23 determination, which is an order to TransCanada to implement  
24 the study plan as is or as modified, or with additional  
25 studies. And that's a direct Commission order to

1 TransCanada to do so.

2           There is a formal dispute resolution process. If  
3 a federal or state mandatory commissioning industry  
4 disagrees with the Commission's ruling on a study plan  
5 determination, if we think that we should have required a  
6 study that we didn't or a component of a study and we  
7 didn't, there is a process available to them to petition  
8 FERC to revisit it. I know that's not going to be the case  
9 here, so I'm not going to get into too much detail; also I  
10 don't think there are any federal or state agency folks  
11 here.

12           Are there?

13           No. Okay, so. Once that determination comes  
14 out, like I said that's a directive to TransCanada to  
15 implement their study plan and then typically it's a year or  
16 two years of studies that would be undertaken, and that's  
17 why I'm not going to go beyond that point tonight. It is a  
18 very lengthy process; there are going to be multiple  
19 opportunities for public input and involvement, and this is  
20 just the first step in the process; so I want to make sure  
21 everybody understands that.

22           Page 2 of this colorful handout is the schedule  
23 we've got laid out. This one actually has the dates for  
24 this process. We just put it there as a tool, a quick  
25 reference tool for you. That schedule is also in the

1 scoping document. So I'm not going to go through every  
2 step. Except comments are due, for written comments, study  
3 requests and comments on the PAD, March 1st is a critical  
4 deadline for everybody, and I want to make sure -- if you  
5 want to file written comments, you know that March 1st is  
6 that deadline.

7 AUDIENCE: That seems like a pretty short time  
8 frame for those of us in local government.

9 MR. HOGAN: Short time frame from when?

10 AUDIENCE: Today.

11 MR. HOGAN: That's why we noticed it December  
12 17th.

13 AUDIENCE: I'll revise my comments; it's a short  
14 time frame from December 17th for those of us in local  
15 government.

16 (Laughter)  
17 Town government moves slowly.

18 MR. HOGAN: Name?

19 MR. FULTON: Neil Fulton, from Norwich.

20 MR. HOGAN: We get lots of criticism about our  
21 deadlines; I hate them myself, but we also had lots of  
22 criticisms about other licensing processes that the  
23 Commission has, it took too long, so when we developed the  
24 Integrated Licensing Process in 2003, we were being  
25 responsive to stakeholder's concerns about how long the

1 licensing process took. And that's why the deadlines and  
2 the rigid time frames are set. But appreciate the comment.

3 I mentioned study requests are due on March 1st.  
4 The third sheet of that handout that I put out is the Study  
5 Plan Criteria or Study Request Criteria. These are seven  
6 criteria that if you plan to prepare a study request, you  
7 ought to be able to answer these questions and address them  
8 in your request.

9 This is a litmus test that the Commission will  
10 use to evaluate each study request, whether it's a  
11 justifiable request and should be done or -- as it has  
12 nothing to do with the project or whatever. But it's our  
13 test. And Questions 2 and 3 or Criteria 2 and 3 are  
14 mutually exclusive, so there are really six criteria that  
15 need to be addressed.

16 I encourage you to do so; if you don't know, if  
17 you're not a resource area expert and you don't know  
18 methodologies for sampling something, you know, a lot of  
19 times we'll say, use scientifically approved practices. You  
20 know, that will answer A, B, C, D and E. What are the  
21 questions that you're trying to get answered. And I've done  
22 that, even at FERC we'll say "I don't want to tie an  
23 applicant's hands and say 'you have to do it this way.'"   
24 I'm going to let you do it however you want, but I need the  
25 answers to these questions. And whatever you propose has to

1 answer these questions.

2                   So that is a perfectly acceptable method as far  
3 as I am concerned, and that's Criteria 6, by the way, on  
4 methodology. One thing that you should all be able to  
5 answer, if you're asking for a study is: What is the nexus  
6 of the project and what are the goals and objectives of the  
7 study?

8                   What do you want from the study and how is it  
9 related to the project; two very key things for us.

10                   The other thing that we want to know, to the  
11 extent that you know it, what is the existing information on  
12 that issue already, and why is that information not already  
13 sufficient? What do we know about it and what don't we know  
14 about it?

15                   So the study is to answer what we don't know  
16 about it. So I want to stress that to you. And you may or  
17 may not be planning a study request, but these criteria are  
18 very important to the Commission, and I can't stress that  
19 enough.

20                   Does anybody have any questions thus far?

21                   MR. RAGONESE: Ken -- John Ragonese.

22                   Just to answer the question or the comment about  
23 the short time frame. Without being familiar with how this  
24 works, it's a little overwhelming to get that sense that  
25 your deadline is March 1 and that's all we want to hear from

1 you.

2           But we will have a proposed study plan, and then  
3 there is a period of time where you can comment on how we  
4 approached the issues in our study plans. And that will  
5 carry beyond the March 1st period of time. So it's not your  
6 only comment period; I just didn't want to give you the  
7 sense that, you know, there's a very short window of  
8 opportunity to comment in this process.

9           MR. HOGAN: But if you do have study requests,  
10 it's important to meet that March 1st deadline, because when  
11 we look at our determination, and when you evaluate the  
12 revised study plan and we look at the comments that we  
13 received and the outlying issues, we go back to the study  
14 requests. If there wasn't a study request and you're  
15 raising the issue after the revised study plan has been  
16 filed, for us it was a non-issue, so it's coming up late.

17           So I am stressing that March 1st deadline, and I  
18 appreciate John's clarification that they want to work with  
19 everybody throughout the process, as do we. But we do keep  
20 a very strict public record, and we make all of our  
21 decisions based on that public record. So that's -- and our  
22 process is extremely transparent; we can't be making  
23 decisions based on anecdotal evidence that was off the  
24 record; that's why everything that's said here tonight is  
25 being recorded, and it's going to be clear, when Commission

1 Staff makes its recommendation to the Commission,  
2 it's going to be very clear how we came to that decision.

3 MR. RAGONESE: Ken, briefly, one follow-up.  
4 Again, John Ragonese.

5 In the schedule there's a box for, FERC issues  
6 Scoping Document 2 if necessary. What would be the criteria  
7 that would warrant a revision or versus not, I guess.

8 MR. HOGAN: Good question. Scoping Document 2  
9 will be produced if we miss something, if we did not  
10 incorporate in our Scoping Document 1 which was issued  
11 December 17th.

12 Throughout this scoping process, if we are  
13 enlightened to new issues or that we got an issue wrong and  
14 it doesn't belong there, we'll issue a Scoping Document 2.  
15 I anticipate that we will have a Scoping Document 2 issued  
16 purely because we're not perfect, and there's going to be  
17 several meetings here that we're going to learn information,  
18 that's why we're here. It's rare that we would not issue a  
19 Scoping Document 2.

20 And at that point -- and the idea behind the  
21 scoping document and these scoping meetings is, the  
22 Commission has to prepare an environmental document, an  
23 environmental review of all the Connecticut River license  
24 projects. We're planning to prepare one environmental  
25 impact statement that looks at all five of the projects

1 being relicensed here. And the scoping document, and the  
2 reason we're all here today, drives that analysis. So  
3 you're identifying what the issues are and telling us,  
4 telling FERC what we need to look at in our environmental  
5 review. Nobody better could tell us that than the folks who  
6 live with these projects day-in-and-day-out and are here on  
7 the ground and understand the issues.

8 I can make all kinds of decisions back in D.C. in  
9 a vacuum, but nobody's going to like them; so I really do  
10 need your input. And we want it.

11 One other quick thing before I start getting into  
12 the resource areas. I had a blue brochure here.

13 This is a brochure that we put out from the  
14 Division of hydropower licensing; it says, Get Involved, A  
15 Guide for the Public. I recommend everybody grab one of  
16 these on your way out if you haven't already; take it home,  
17 read through it, it has a lot of information about FERC, it  
18 has a lot of terminology that's used in hydropower licensing  
19 that you may not be familiar with. But most importantly, on  
20 page 12, it has a section on Get Information. And the  
21 Commission maintains, like I said, a very public record. We  
22 have a system called eLibrary where anything that is filed  
23 with the Commission or issued by the Commission gets placed  
24 in the eLibrary. That's an electronic library, an actual  
25 copy of the document, is downloadable in PDF form or

1 whatever format it was loaded up on; it can be a PIF file,  
2 but you can read the actual letter, not just the notation  
3 that TransCanada filed a letter on such-and-such a date;  
4 it's the actual document, you can go and read it. You send  
5 us a letter, you'll be able to read it.

6           There's also a system called eSubscription. And  
7 if you -- and there's instructions of how to sign up for  
8 that. If you sign up for eSubscription, when the Commission  
9 issues a document, whether it be a notice or a scoping  
10 document, doesn't matter what it is, or any other entity  
11 files a document with FERC on a p recommendation that you're  
12 interested in, you'll receive an e-mail with a link to that  
13 document.

14           So it's a really handy tool. If you're  
15 interested and want to stay engaged, I encourage you to  
16 check out page 12 and go through the instructions. If you  
17 don't have a computer, those systems aren't available to  
18 you.

19           Any questions so far?

20           Yes, sir.

21           MR. COUTERMARSH: My name is Mark Coutermarsh.  
22 My wife Martha and I live four miles downriver. You're  
23 going on and on; I don't know -- our problem is erosion.

24           Ever since TransCanada took over, that water goes  
25 up and down, up and down, up and down three times a day. It

1 seems ridiculous. And she has called and e-mailed and can't  
2 get any word -- you know, they just blame it on something  
3 else; but we know it's the dam right there above us, it's  
4 four miles up.

5 Where in this process will we voice our concerns?

6 MR. HOGAN: In about -- there's going to be  
7 multiple opportunities for that, but in about ten minutes,  
8 we're actually going to ask you, okay, where are you on the  
9 river and what kind of erosion are you seeing.

10 But that's exactly why we're here tonight.

11 MR. COUTERMARSH: Okay. I just don't know when--

12

13 MR. HOGAN: Right. Like I said, our goal is to  
14 really get the information from you; and I know I've been  
15 going on. I just want to make sure people understand the  
16 process so that they can be engaged. And with that, I am  
17 going to turn it over to the resource teams to identify in  
18 our scoping document --

19 MR. BATTAGLIA: I think TransCanada --

20 MR. HOGAN: Oh.

21 Who would like to hear what TransCanada is  
22 proposing? I'll take a vote.

23 Okay. TransCanada is going to give a quick  
24 presentation on what the actual proposal is that we're here  
25 to discuss tonight.

1           MR. NASON: Actually, we're just going to do the  
2 overview, back to the current operations.

3           MR. HOGAN: Okay. And that's your proposal, is  
4 the current operation.

5           MR. NASON: Yes, that's true.

6           MR. HOGAN: So that's the clarification.

7           MR. NASON: I'm Edwin Nason.

8           MR. BRISSETTE: Earl Brissette.

9           MR. NASON: We work with TransCanada, and as  
10 we've already said to Ken, we're going to go over the hydro  
11 overview, then facility facts, and then operational; how  
12 Wilder is operated.

13                   For the hydro overview, TransCanada has dams on  
14 the Connecticut River and also hydro facilities on the  
15 Deerfield River; and on the Connecticut River there are six  
16 hydro facilities. Starting at the top, Littleton, New  
17 Hampshire is the Moore dam and just downstream of that is  
18 the Comerford Dam, and downstream of that is the McIndoes  
19 Falls Dam. And those three together are, we call Fifteen  
20 Mile Falls.

21                   Downstream from that of course is Wilder, and  
22 then Bellows Falls, and then Vernon; and those are the three  
23 projects up for relicense.

24                   One of the things we talk about in operations is  
25 river timing, and when I say timing I'm talking about when

1 there's a change at one station,  
2 and discharge from one plant, how long does it take for  
3 that, the effects of that change are felt downstream at the  
4 next station. And between Moore and Comerford that's about  
5 an hour; and between Comerford and McIndoes it's about  
6 another hour. So those three stations are really very close  
7 together. From McIndoes Falls down to Wilder it's about  
8 eight hours, and from Wilder down to Bellows is another  
9 eight hours; and then from Bellows Falls down to Vernon is  
10 about four hours.

11 All the hydro stations on the Connecticut River  
12 are remote controlled, and they're all controlled from the  
13 Connecticut River control center in the hydro office in  
14 Wilder.

15 Earl?

16 MR. BRISSETTE: I'll go through a couple of the  
17 Wilder facility facts.

18 Wilder Station is located just downstream of the  
19 original dam; it was just upstream of that, Alcott Dam,  
20 which was built in 1926. Wilder was put into service in  
21 1950. Wilder has a normal, average head of 53 feet; it has  
22 three generators with a total authorized installed capacity  
23 of 35.6 megawatts. One of those generators is in Vermont,  
24 the other two in New Hampshire, so the state line goes right  
25 down between number one and number two generators.

1           They have six tainter gates, they're 30x36 feet  
2 with a total spill capacity of 16,900 cfs each, and that's  
3 per gate. Two skimmer gates, 20 feet by 15 feet wide each,  
4 and then on the New Hampshire side there are four stanchion  
5 bays, which are 17 feet high and 50 feet wide, and those are  
6 just boards.

7           The total project discharge capacity is 157,600,  
8 and the generators can do another 10,000 cfs. The flood of  
9 record is 91,000 cfs, and that was in March of 1936. The  
10 1927 flood record was downstream.

11           Major projects that have been completed since  
12 1979. At Wilder, the fish ladder which was installed in  
13 1987, and that's when the third generator was also  
14 installed; No. 3 unit. And this generator has two purposes:  
15 One, it produces electricity, of course; and it's a minimum  
16 flow unit; but it also provides the attraction water for the  
17 fish ladder.

18           AUDIENCE: Is that No. 3?

19           MR. BRISSETTE: It's No. 3, yes.

20           AUDIENCE: That's a Francis?

21           MR. BRISSETTE: It's a Francis wheel.

22           AUDIENCE: And that's in New Hampshire?

23           MR. BRISSETTE: It's in New Hampshire, yes.

24           AUDIENCE: Thank you.

25           MR. BRISSETTE: And the station was automated,

1 remote, and that was done in 1998. Of course, that's run  
2 out of Wilder.

3 MR. NASON: So back to the operations for Wilder,  
4 I'll start with the reservoir. Wilder's reservoir has a  
5 drainage area of 3,375 square miles. The reservoir is 45  
6 miles long, goes all the way up to Haverhill, New Hampshire  
7 and Barre, Vermont.

8 The usable storage volume, that's within our five  
9 feet of operation. is 13,350 acre-feet. And the reservoir  
10 has approximately 3,000 cfs per tenth of elevation. That's  
11 per tenth of foot of elevation in the reservoir.

12 The best way to explain this is with an example.  
13 If your inflow into the reserve was is 3,000 cubic feet per  
14 second greater than your discharge for one hour, then the  
15 reservoir elevation will go up one tenth of a foot.

16 For the Wilder constraints, Wilder has an min  
17 flow that's the same year round of 675 cfs, and that's  
18 almost always done through that Unit No. 3, which actually  
19 discharges 700 cfs. Wilder has a downstream fish passage;  
20 it's April 1st through June 15th, 512 cfs. And in the fall  
21 there's also a downstream fish passage but that's only done  
22 as needed. And there's an upstream fish passage through a  
23 fish ladder, May 15th through July 15th, and in the fall,  
24 September 15 through November 15; and those dates are a  
25 little more flexible, kind of as an as-needed basis.

1           The reservoir has an operating limit of elevation  
2 of 308 feet above sea level to 395 feet above sea level. We  
3 also have an operations limit of .3 of a foot per hour draw,  
4 so we don't draw the pond down more than .3 of a foot in any  
5 one hour.                   And we also maintain recreation,  
6 rec limits for the elevation of the reservoir in the  
7 summertime, just on weekends and holidays. That's where we  
8 change our low limit to 382.5 feet.

9           Also because of the long, long length of the  
10 reservoir, we have what we call a high flow reservoir  
11 profile operation. Basically the inflow end of the  
12 reservoir is a higher elevation than the discharge end, the  
13 downstream end. And when the flows are high, this elevation  
14 difference is greater; so in order to maintain proper  
15 elevation at the upstream end of the reservoir, when the  
16 flows go up we keep the lower end lower. And this starts at  
17 about 10,000 cfs inflow and then it goes all the way up to  
18 20,000. And at 20,000 cfs inflow and greater, we maintain  
19 the elevation at 380 feet, and that's it.

20           As far as scheduling the river, running the  
21 reservoir -- (interruption) -- so each day the hydro  
22 operators will schedule the megawatt run for the next day;  
23 and basically their priority, when they're making the  
24 schedule is first the license compliance, and then the  
25 second is to put the generation in the best hours, meaning

1 the best high high priced hours; and this is during normal  
2 flows in a regular day. For water management we do, you  
3 know, we do review the flows daily and sometimes hourly  
4 during high flows to make decisions about storage reservoirs  
5 upstream. And during high flows the schedule is just water  
6 management; there is no regard for generation because  
7 typically there's enough flow to just generate around the  
8 clock anyway.

9                   And I guess that's all we have, unless there are  
10 questions.

11                   I guess we did a good job.

12                   (Laughter)

13                   MR. HOGAN: How about a round of applause?

14                   (Applause)

15                   MR. HOGAN: Thank you.

16                   Yes, sir.

17                   AUDIENCE: Just a quick question about your study  
18 requests. I don't see anyplace where those are to be  
19 mailed.

20                   MR. HOGAN: In our scoping document, which I  
21 passed out, there is a -- through page -- last paragraph on  
22 page 4, through page 5, there are instructions on how to  
23 file study requests.

24                   AUDIENCE: Page 33 has an address.

25                   MR. HOGAN: I'm in the wrong spot. Section 6,

1 starting on page 32 through 33 gives instructions on how to  
2 file comments and study requests with the Commission. I can  
3 give you the address right now if you like.

4 Good question. Thank you.

5 For this part of the meeting, I would like to  
6 start by going through the resource areas, by each resource  
7 the items that we've identified as potential project  
8 effects; and TransCanada is going to give us on each  
9 resource identified the studies that they've already done to  
10 address potential information gaps for that specific  
11 resource area; and then we're going to ask you folks if you  
12 have any specific concerns with a given resource area; for  
13 example with the gentleman in the back with erosion we would  
14 cover that under geology and soils, so when we talk about  
15 geology and soils I'm going to seek your input. That's  
16 going to give us some more detail about your concerns.

17 If you want to follow along, we are on -- I had  
18 my thumb on it.

19 Page 24 of the scoping document. And geology and  
20 soils.

21 Geology and Soil Resources.

22 MR. NELSON: Ralph Nelson.

23 So page 24, 4.2.1 is our initial list of issues  
24 or concerns with geology and soils, and I'm just going to  
25 read from this bullet.

1           Specifically, we're looking at the effect of  
2 project operation and maintenance on river bank erosion,  
3 including the potential effect on protected species,  
4 cultural resources or the structural integrity of adjacent  
5 facilities or critical structures. And that's the first  
6 issue that we have.

7           One of the things we wanted to point out to you,  
8 too, is you'll note that in the list in that table, there  
9 are asterisks identifying several ones, and those identify  
10 issues and concerns that will be analyzed for both  
11 cumulative and project effects.

12           AUDIENCE: Does that include roads?

13           MR. NELSON: Yes.

14           MR. HOGAN: Yes, I don't know if you caught that.  
15 The question was, does it include roads? And the name?

16           MS. MacKENZIE: Susan MacKenzie.

17           MR. HOGAN: And do you mean facility roads or  
18 municipal roads, or --

19           AUDIENCE: Adjacent structures --

20           MS. MacKENZIE: Town roads.

21           Town roads.

22           MR. HOGAN: Town roads? Yes. If there's a  
23 project effect on town roads, that would be an interest of  
24 ours.

25           MR. RAGONESE: Ken, do you want me to just chime

1 in after each one of these?

2 MR. HOGAN: Yes, if you have studies that you've  
3 conducted.

4 MR. RAGONESE: Okay. Again, my name is John  
5 Ragonese. I'm the Project Manager for Relicensing for  
6 TransCanada.

7 I'm going to look at these in sort of different  
8 categories. We have a pre application document that we  
9 prepared, which was basically project information, or  
10 information on any studies that might have been available at  
11 the time to provide for specific information in different  
12 resources. And at the time of developing the PAD, we did  
13 not -- or there is a portion in the PAD where a licensee or  
14 an applicant can propose a study, and we did not propose any  
15 specific study on geology and soil resources in the PAD.

16 Again, our thinking is we want to hear what  
17 people's issues are before we necessarily propose what a  
18 study might necessarily be required or should be. However,  
19 we have done a lot of preliminary studies on aspects of the  
20 scope of the issues identified by FERC under geology and  
21 soils. For example, we did a shoreline survey of all of the  
22 project reservoirs, which we tried to identify the most  
23 active erosion locations; those generally being greater than  
24 25 feet. I know we probably missed some out there,  
25 generally speaking; but we try to capture them all. But

1 those are primarily in the reservoir, the project boundary,  
2 so those are in a GIS layer, and they're identified on a map  
3 in terms of length, location, and there is some other  
4 shoreline information as well included with that survey.

5           We also did a -- we had completed, several years  
6 ago, a historic or an archaeological survey of our projects  
7 downstream in Vernon for cultural resources, and we just  
8 completed one in the past couple years for the Wilder  
9 project as well as Bellows. Again, these are within the  
10 project boundary, which is primarily from the dam,  
11 encompasses the reservoir upstream.

12           We completed last year an assessment of our  
13 impact of flows on an endangered species, federally  
14 endangered species called jessup's milk vetch. What we were  
15 trying to do is a response to an agency request to develop a  
16 flow, a stage flow relationship at these sites for the  
17 endangered species; and so we have completed that. The  
18 report is just pending to go to the --. We're just  
19 finishing that up, final draft to go to the agencies. These  
20 are four sites downstream of Wilder. In those cases we were  
21 able to determine that it's only a very significant high  
22 flow, far above our operational flows, that can impact the  
23 lowest member of the various populations that reside at  
24 these four locations. So they're talking about flood flows,  
25 but not station operations.

1           We did a very intensive survey of rare,  
2 threatened and endangered species throughout all of the  
3 project boundary. Our reservoir, our shorelines that  
4 essentially are areas -- and areas downstream that are  
5 affected by either project fluctuations of the reservoir or  
6 project affected flows downstream. That's a study that is  
7 just getting, again, just being finalized; it will be going  
8 to the agencies this week. Essentially identifying or  
9 reexamining any known or historic locations for rare and  
10 endangered species. It was a very, very intensive study and  
11 we actually found many more -- some species that had never  
12 been found before, and many locations that had never been  
13 documented of existing species on those lists.

14           We conduct every other year a survey of erosion,  
15 a downstream project at Vernon; that has just been completed  
16 and has been submitted to FERC. And I guess I want to  
17 mention that the issue of soil and geology -- this is not a  
18 new issue for anyone that was part of the 1970s relicensing  
19 of the Wilder project; geology, soils, erosion were a big  
20 issue back then. There's a very pertinent study that was  
21 done during that relicensing; it's very pertinent to this  
22 study, this period of time as well, and it's a 1979 Army  
23 Corps study that was done out of Prell on Connecticut River  
24 Basin erosion, and we feel that that's a very, very  
25 important study that should be considered part of the

1 existing record on erosion on the Connecticut River.

2           Some of the planned studies we're thinking of and  
3 looking at, we haven't compiled these into a formal  
4 proposal; but these are actually studies that are ongoing  
5 from our dam safety perspective; these are all taking place  
6 at our Vernon project, but we're not on those today.

7           MR. HOGAN: John -- we're talking about Wilder  
8 today.

9           MR. RAGONESE: That's it.

10           Yes, it's not really clear to me if that's just  
11 for Wilder. These are just for Wilder or not, just curious.

12           MR. HOGAN: As far as the studies you're  
13 proposing, you're not clear if they're --

14           MR. RAGONESE: The scoping meeting.

15           MR. HOGAN: This meeting tonight is Wilder;  
16 tomorrow morning is, we're in Bellows Falls.

17           MR. RAGONESE: Okay, just want to be sure.

18           MR. HOGAN: Now I know we have a question in the  
19 back or a comment in the back about geology and soils and  
20 erosion on property. Would you please state your name and  
21 tell us your concern.

22           MR. COUTERMARSH: Mark Coutermarsh (spelling).

23           MR. HOGAN: Thank you.

24           MR. COUTERMARSH: We live four miles south of the  
25 dam, right where the Ottauquechee River comes in, and we

1 have a boat right on the water there. We do more with the  
2 river than I think anybody around, because we can go out and  
3 I have a motor that is a jet ride so I can go all the way to  
4 Wilder Dam and all the way to Hartman Rapids.

5           And in talking with the farmers and stuff on the  
6 river, and landowners, everybody is very concerned about,  
7 since TransCanada took over, they go up and down with the  
8 water so many times a day. Now I realize it's dollars that  
9 determine what they're after, but somewhere in this process  
10 of relicensing, it seems to me that there should be a little  
11 key put in there so that when there's erosion, there'd be  
12 some money to fix it.

13           It's a real pain, because when you start doing  
14 it, the you run into the State of New Hampshire and the  
15 State of Vermont or with Natural Resources. They all say  
16 you can't do anything without an engineer coming in. Well, a  
17 poor little guy living in a little house on the side of the  
18 river cannot afford to go out and hire engineers to come in  
19 just because his bank is washing.

20           The simple solution would be to dump some rock on  
21 the thing like the town does when it starts bothering one of  
22 their roads. Somewhere along in this process, I wish you'd  
23 bring up the issue of that and how you can either stop the  
24 up-and-down so much or -- I mean, you just stop and think,  
25 because down to 700 cubic feet per second in the morning --

1 all night, I mean. Then in the morning they put it up to  
2 God-knows-what. It can go to 15 or 20,000, and it's an  
3 awful rush of water. And it's very, very bad.

4 Thank you.

5 MR. HOGAN: So just for my own benefit, you're  
6 saying that you have identified through speaking with other  
7 landowners downstream of Wilder and upstream of the Bellows  
8 Falls reservoir?

9 MR. COUTERMARSH: We just know about as far as  
10 the Hartman Rapids, that's as far down as I go.

11 MR. HOGAN: Help me; where's Hartman Rapids?

12 MRS. COUTERMARSH: A quarter mile --

13 MR. HOGAN: So it's above Bellows Falls.

14 AUDIENCE: Sumner Falls

15 AUDIENCE: Seven miles from --

16 MR. COUTERMARSH: -- miles below where the  
17 Ottauquechee River comes in.

18 MR. HOGAN: Thank you.

19 We had a question about town roads and erosion  
20 issues. Do you know of issues that raise that question, or?

21 MS. MacKENZIE: Yes. Susan McKenzie again.

22 Lyme has had several issues, and has severe  
23 issues that are about to wash into the river. One was just  
24 repaired; a section was just repaired south of the North  
25 Fetford --. But the south end of the river road next to the

1 Hanover line is in bad shape; and there is a half mile  
2 section there that needs to be completely redone. The road  
3 is sort of floating at the moment. There's no way to  
4 maintain it as it is.

5           And there are several other areas, I can think of  
6 about six right now that are just, they're straight drops  
7 down to the river, 20 or 30 feet from the pavement, straight  
8 down. Any erosion, undermining of that, pretty soon the  
9 road is going to be in the river.

10           MR. HOGAN: This is upstream of the dam?

11           MS. MacKENZIE: Correct.

12           MR. HOGAN: John, in your studies, did you guys  
13 identify any erosion areas or potential erosion areas that  
14 you looked at, others, the infrastructure? Or did you  
15 consider other existing infrastructures?

16           MR. RAGONESE: The survey we did was from the  
17 river. We did not look at, you know, walk everybody's  
18 fields, walk everybody's roads. It was a survey from the  
19 river to look at basically apparent, active erosion  
20 processes on the banks.

21           I can't say whether or not we captured these, but  
22 we do all these marked on the GIS map.

23           MR. HOGAN: Yes, sir.

24           DR. McINTYRE: I have rather lengthy remarks.  
25 I'm Ross McIntyre.

1                   MR. HOGAN:  Ross, are they about geology and  
2  soils?

3                   DR. McINTYRE:  Yes.

4                   MR. HOGAN:  Okay.

5                   DR. McINTYRE:  I think it's important -- as I  
6  looked over the pre application document, there are synopses  
7  of studies in that by Simmons in 1979 that were just  
8  mentioned, and Kleinschmidt in 2011.  And in that document,  
9  it's clear that none of these studies have involved any  
10 quantitative measurements of erosions in terms of grams of  
11 soil or tons of soil, or relating this in any way to river  
12 levels or the rate of change in river levels.

13                   And it's clear that up and down the river the  
14 landowners have this feeling that when the water is high and  
15 then drains suddenly down, or at the rate that it goes down,  
16 at I guess .2 of a foot per hour, that the water that's been  
17 absorbed by the soil then exits the soil and carries with it  
18 soil into the river, or at least down the bank onto this new  
19 berm that is reported in the studies that are mentioned in  
20 the pre application.

21                   Now when one reads the studies that are in the  
22 pre application document, one gets the feeling, distinct  
23 feeling that the opinion of these people that have looked at  
24 this is to discount this possibility that there is in fact  
25 soil being carried out when the water level drops and the

1 soil has been saturated at the time of higher water.

2           So we have this problem of the landowners  
3 complaining about this theoretical possibility of what's  
4 going on, and the pre application document saying it doesn't  
5 happen. And I think we really need to get some information  
6 on this, one way or the other that can be quantitated in  
7 pounds of soil and gallons of water, or however you wish to  
8 measure it.

9           I find other things related to this in the  
10 document. I first of all want to mention that the benefits  
11 of hydropower are increasingly important as renewable energy  
12 becomes a national priority; but the value of the project to  
13 the operators as well as the community will best be served  
14 by ensuring that the useful life of the project is not  
15 compromised by preventable loss of reservoir capacity, which  
16 would occur should large amounts of siltation occur over the  
17 years as river banks crumble.

18           Page 314 in the pre application document, the  
19 statement is made that the project is operated on a daily  
20 cycle run-of-the-river mode where the daily inflow matches  
21 the daily outflow. This may result in modest daily pond  
22 fluctuations due to upstream project-related generation,  
23 mainly at the downstream end of the Wilder reservoir due to  
24 the pitch of the river. But relatively constant water  
25 levels are maintained.

1           I paddled my canoe on the Connecticut River in  
2 1949, prior to the closure of Wilder Dam, and I find this  
3 statement outrageous.

4           Current Wilder Lake levels are not a run-of-the-  
5 river situation, and it's fortunate that the applicant can  
6 be able to blame the upstream dams if it isn't. A rise or  
7 fall of one or two feet during a single day prior to the  
8 presence of the dam would have signified a major  
9 meteorological event. The words 'relatively constant' used  
10 to denote changes of a foot or more in water levels in 24  
11 hours could only be used by a person wishing to escape the  
12 effects of water level changes, and the statement should be  
13 removed from the document. No unbiased person walking the  
14 river bank on even an occasional basis could agree that the  
15 river levels are quote, "relatively constant" end quotes.

16           So I think that this dam is a wonderful resource;  
17 we need to maintain it; it's good to have clean energy. But  
18 we've got to look at this problem and find out first of all  
19 where there is a problem and put some numbers on it, and be  
20 able to estimate how much soil is being eroded by changes in  
21 water level, and design changes in water level, if possible,  
22 that diminish the risk of river bank collapse. Thank you  
23 very much.

24           MR. HOGAN: Thank you. Ross, did you have a  
25 prepared statement that you'd like to have included in the

1 record?

2 DR. McINTYRE: Yes. I will prepare this and hand  
3 it in.

4 (The statement follows:)

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1                   MR. HOGAN: (Pointing) Yes, ma'am, and then  
2 we'll go to the back and we'll come over here after.

3                   MS. FOWLER: My name is Linda Fowler; I'm the  
4 Town Trustee for Hanover for Pine Park, which is a 91 acre  
5 preserve located on the New Hampshire side, just above the  
6 Dartmouth boat house and rowing facility about 7500 feet. I  
7 also have a prepared statement for you and for the  
8 TransCanada people.

9                   We have concerns about erosion. We're losing  
10 really big trees. Not saplings, but really big trees into  
11 the river, and there are many -- we've got about eight down  
12 now; and then there are probably 12 to 15 that look like  
13 they're going, where the roots are pulling out, and we don't  
14 really know why; but we do know that this has been a  
15 phenomenon that's happened over the last ten years.

16                   The Trustees were in touch with TransCanada, with  
17 a representative in Wilder. We started in 2010, that person  
18 left; then we were dealing with Matt Cole. We had a couple  
19 of meetings with him where we did walk the banks and pointed  
20 out the concerns, and we were under the impression that some  
21 studies were being done, but we haven't heard anything. Our  
22 last communication with TransCanada was in 2011.

23                   What's interesting about our situation is that we  
24 have a flowage agreement, which many landowners probably  
25 have; but we actually have the one from 1944 in which

1 TransCanada very specifically says it has an obligation to  
2 abate erosion of our property. And in 1979 a very  
3 extensive amount of riprap was done, and much of it still in  
4 place and doing a very good job. But the north end of the  
5 park probably, the 500 feet north, has really gotten quite  
6 bad. And they're bad enough now that riprap isn't going to  
7 do it.

8           We've talking about cutting the trees and leaving  
9 the stumps and place and doing some other kinds of things;  
10 but of course the longer it goes and the idea of waiting  
11 until the permit is actually issued in five years means  
12 we're losing a lot more of these big old trees. The park  
13 has been a park since 1905. It's a major resource in the  
14 Town of Hanover. It's a place where the track teams  
15 practice, where people cross country ski, where people run,  
16 and it's an incredibly beautiful spot. And to see these  
17 trees coming down is breaking a lot of hearts in our  
18 community.

19           So we're interested in having TransCanada  
20 maintain its contractual agreement with us as well as  
21 maintaining its overall permit responsibility for mitigating  
22 erosion that occurs because of the operation of this  
23 project.

24           One of the things that is missing is contact  
25 information. You know, it's nice to hear that -- is part of

1 this, but there isn't any way to reach him, and we've found  
2 it almost impossible to get ahold of people at TransCanada;  
3 you get a recording, you get moved around; and there's no  
4 contact information in your documents, either, except for a  
5 secretary where we can mail things.

6           So if you would all have business cards or  
7 whatever, so people like me who are new to this process  
8 could call, and I don't know whether, for example, we should  
9 put in a request for a study. It seems to me that just on  
10 the face of it that TransCanada should have included  
11 mitigation for our shoreline as part of its study plan, and  
12 obviously, they said it wasn't in there.

13           I don't know what we're supposed to do next.

14           MR. HOGAN: First, and I clearly haven't read  
15 your prepared statement, but I'm sure it identifies your  
16 concern.

17           MS. FOWLER: Yes.

18           MR. HOGAN: We will definitely --

19           MS. FOWLER: It has a lot of documentation.

20           MR. HOGAN: Okay. So the next step for you, and  
21 that can satisfy as your comments, they're going to be filed  
22 with the Commission right now, so if you have more comments  
23 you want to add to it by March 1st, you're welcome to do  
24 that. Or --

25           MS. FOWLER: This could suffice.

1 MR. HOGAN: Yes.

2 MS. FOWLER: How do I find out if it's viewed as  
3 being sufficient?

4 MR. HOGAN: They're your comments and they're in  
5 the record now. You mean --

6 MS. FOWLER: We haven't requested anything other  
7 than TransCanada be obligated to do what it's supposed to  
8 do. That doesn't seem to require a study, as far as we're  
9 concerned, but maybe that area needs to be studied. That's  
10 what I'm a little confused about.

11 MR. HOGAN: And I can't advise you whether or not  
12 that specific area needs to be studied or not. It's an  
13 issue. If you'd like it studied, that's a study request and  
14 you can prepare a study request and we'll review it and  
15 raise it.

16 MS. FOWLER: So it sounds like I should do it  
17 even though I've gotten pretty detailed.

18 MR. HOGAN: Most of what you provided will  
19 probably support your study request. Okay?

20 MS. FOWLER: Okay, thank you.

21 MR. HOGAN: Again, I haven't reviewed it. If the  
22 information that you've said is in there is in there, then  
23 that would -- probably you can take that and apply it right  
24 to your study criteria.

25 MS. FOWLER: Thank you.

1 (The statement follows:)  
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1           MR. BEECO: Ken, your contact information is on  
2 page 5. She was asking about your contact information.

3           It's on page 5 of the scoping document.

4           MR. HOGAN: Thank you.

5           MR. BEECO: Phone and e-mail.

6           MR. RAGONESE: The notice of the meetings have  
7 all of our addresses on the second page.

8           MR. HOGAN: Yes. And I didn't bring a copy of  
9 the notice, but -- did everybody gather that? On page 5 of  
10 the scoping document is my contact information.

11          MS. GREEN: So there's almost two sections of  
12 pages, so in the Introduction section there's a page 5.

13          MS. FOWLER: It says Comments in Scoping  
14 Meetings. And you go where it says, Purposes of Scoping.

15          MR. HOGAN: It's technically --

16          MR. BEECO: It's a cover letter.

17          MR. HOGAN: There are two page 5s in there?

18          Inside this document there's a transmittal  
19 letter.

20          MS. FOWLER: Yes. I saw that.

21          MR. HOGAN: And it's on page 5 of the transmittal  
22 letter.

23          MS. FOWLER: On the transmittal. Thank you.

24          MR. HOGAN: And my contact information is there,  
25 phone number and e-mail address.

1           MS. GREEN: And it's in a paragraph form, so you  
2 kind of have to pull it out; it's not separated out.

3           MR. HOGAN: And then -- did everybody find that?

4           Okay. So we have here, then there, then back  
5 there. (Pointing) Yes, sir.

6           MR. PARSONS: My name is Marselis Parsons  
7 (spelling). I am an owner of about 1500 feet of property  
8 along the river in Lyme, New Hampshire. My family has owned  
9 the farm there for 50 years. My father noticed erosion  
10 starting almost after we bought, almost immediately after we  
11 bought the property. He asked to put in riprap and the  
12 State of New Hampshire said 'no, we don't like riprap.'

13           I have noticed in the last three or four years,  
14 especially with the rapid rise and fall of the river, which  
15 I measured last summer at approximately 18 inches to two  
16 feet over a period of just 48 hours sometimes on a Friday  
17 and Saturday, that there appears to be more erosion.

18           I would suggest two things: About 600 feet of my  
19 property was taken by the Town of Lyme for the road project  
20 that was referred to earlier at a cost of what, \$800,000 the  
21 town repaired the River Road, which is an historic road.  
22 Just as an aside, it used to be the main coaching road from  
23 Boston to Montreal. But it started to sink into the river.

24           I would suggest you contact Holden Engineering of  
25 I believe Concord, which did the study for Lyme, saying that

1 the river bank was being eroded. It was evident when trees  
2 started to fall into the river. There is no erosion on my  
3 property from any other source; there are no streams and the  
4 land slopes, if anything, away from the river, not into the  
5 river; and yet the bank was eroded at the bottom. Clearly  
6 visible during the summer from people who went by in boats.  
7 Clearly some erosion due to boats; water skiers, recreation.

8 But I support Dr. McIntyre's call for a study  
9 that would measure the amount of erosion due to the rapid  
10 rise and fall of the river. I'm not a scientist, but I  
11 certainly believe that that's part of the cause, and I'd  
12 like to see a scientific study that either refutes it or  
13 confirms it.

14 I'm told that there are a few organizations, most  
15 notably Dartmouth College, that insisted on abatement from  
16 the Bellows Falls Hydroelectric Company when they gave them  
17 flowage rights 50, 60 years ago. I don't know if that's  
18 true; I'm sure there are people here who may know that.  
19 Unfortunately, the predecessors on my property were not  
20 smart enough to make that kind of an arrangement.

21 But anyway, at the very least, I'd like to see a  
22 study as Dr. McIntyre suggested. Thank you.

23 I'm afraid I don't have a prepared statement, so.

24 MR. HOGAN: That's okay.

25 You mentioned three to four years. I've have

1 also heard the last ten years from Linda.

2 John, have you changed operations in the last ten  
3 years?

4 MR. RAGONESE: No, we have not changed our  
5 operations in the last -- I couldn't tell you. Except to  
6 say that there is a competitive market going on so there are  
7 potentially differences in the discharge that you might have  
8 seen over historic periods of time. I would say certainly  
9 not within the last ten years, but something going back.  
10 But in terms of the reservoir, I would say that there is  
11 probably less fluctuation over the course of the last period  
12 of the license than more, just because of the minimum flows  
13 that are operating upstream were not there before, and so  
14 there's a constant flow now coming into Wilder that wasn't  
15 there previously. when the upstream licenses were mandated  
16 to higher flows.

17 MR. HOGAN: When was that?

18 MR. RAGONESE: 2004, we started minimum flows?  
19 2002, 2004, somewhere in that range.

20 I think, it would have been the last ten years  
21 that you would have had the minimum flows coming into  
22 Wilder, that they weren't there prior to.

23 MR. HOGAN: Gentleman has a question.

24 AUDIENCE: How many years has TransCanada had the  
25 Wilder Dam?

1           MR. RAGONESE: TransCanada acquired these in  
2 2005. And the competitive market --

3           AUDIENCE: How many years, 5 to 13? 5 to 12?

4           MR. RAGONESE: Well, TransCanada has owned the  
5 project since 2005, so that's about seven or eight years.  
6 I'm trying to think when the competitive market started.

7           '98 about. So that's been around for about 14  
8 years. And that is the world, all generators working. As  
9 much as we would like to schedule up for generation, it's  
10 scheduled by what the region demands for prices and quantity  
11 of electricity.

12          AUDIENCE: It's dollars.

13          MR. RAGONESE: It is driven by dollars.

14          AUDIENCE: It's dollars.

15          MR. RAGONESE: Driven by values, energy values.

16          AUDIENCE: And those dollars should be, some of  
17 them put into controlling the erosion.

18          MR. HOGAN: We had a question over here, or a  
19 comment?

20          MR. MUDGE: Just two brief comments. My name is  
21 John Mudge, M u d g e, property owner in Lyme, New  
22 Hampshire. My family bought that land in 1962; we own  
23 approximately three-quarters of a mile of frontage along the  
24 Connecticut River; beautiful farmland.

25                 We have put all of that land under conservation

1 easement with the Department of Agriculture in New Hampshire  
2 and with the Upper Valley Land Trust because we think it's  
3 important to preserve that as agricultural land. I wish I  
4 could say that I felt TransCanada felt it was important, or  
5 the previous operators of the dam, it was important to  
6 preserve that agricultural land.

7 I am told that we are the only landowners, as  
8 somebody who is very familiar with the Connecticut River  
9 Valley and land with two surveys of our land, one done in  
10 1960, one done in 1989. Those documents clearly show that  
11 in that period of time we lost 1.9 acres of land. There's  
12 one line on the survey which is 24 feet shorter in 1989 than  
13 it was in 1960. There's one enormous amount of erosion  
14 taking place on this river. That soil, that silt is being  
15 washed right down --(interruption)-- and we would like to  
16 see something done in order to protect that.

17 The earliest known photograph that I have of our  
18 land dates from before 1896, an old photograph obviously.  
19 We can date that because the old covered bridge from East  
20 Thetford to Lyme is in that photograph, and that bridge  
21 washed out in 1826.

22 Photographs of our land appeared in numerous  
23 publications, including a full page photograph in the 1940s  
24 in the National Geographic. All of these old photographs  
25 show beautiful vegetation along the Connecticut River.

1 It's the right buffer, it protects the land from erosion.  
2 The construction of the dam and the management of the dam  
3 has resulted in massive erosion, and I will submit a study  
4 request to have this done.

5 Last November, I think it was November 30th, I  
6 noticed that the water was very, very low. I could walk the  
7 entire three-quarters of a mile of our property on the mud  
8 flats. I took a lot of pictures then of a huge amount of  
9 trees about to come in, trees standing up here just for  
10 their roots hanging in the air, about to come in. The  
11 erosion is undercutting the bank to a tremendous amount.

12 And I'll echo part of the previous comments, but  
13 the New Hampshire department of whatever it is, DES, is most  
14 inhospitable and unfriendly in trying to protect the land.  
15 And that's a separate issue, I realize. But an effort has  
16 to be made to protect this land. Thank you.

17 MR. HOGAN: John, you said you had survey  
18 documentation and --

19 MR. MUDGE: I have it at home, yes.  
20 I can easily make that available to FERC.

21 MR. HOGAN: That would be great. We appreciate  
22 that. Thank you.

23 And I also heard that there was study done by the  
24 Town of Lyme for the road repair by an engineering firm?

25 AUDIENCE: Holman.

1           MR. HOGAN: If you're able to, if you plan to  
2 file written comments, and you want to append that or make  
3 that available that to FERC, that would be helpful.

4           Yes, sir.

5           MR. LEWIS: Greg Lewis, City Manager of Lebanon,  
6 New Hampshire.

7           On behalf of the City, I'm going to read a  
8 statement. I don't know if I want to be negative because  
9 part of the statement is that the City, for the length of  
10 the water park and the river banks, the river front, along  
11 the line to Hanover, on down as we border the Connecticut  
12 River, we think that the form of the bank and interface of  
13 the water and the ebb and flow of the water and the soils  
14 along that bank, along that front, need to be studied.

15           We are clearly unanimous here in the City of  
16 Lebanon, and I am the Chief Executive Officer of the City  
17 and speak up on their behalf; that we think that that is  
18 important, and that needs to be a current -- but this is  
19 needed to making formal requests for a study we'll examine  
20 that; we'll also make a formal comment by the March 1st  
21 deadline. But we want a study; that's clearly something we  
22 must know. That is something that can't be left unknown,  
23 because in the development of our City from all aspects of  
24 it, from the logical point of view, we need to know the  
25 functioning that is going on along that bank; and that's of

1 critical importance to us for all, for many, many reasons.

2 We pride ourselves as an environmentally sound  
3 community. We also pride ourselves on proper use of natural  
4 resources and a balancing with our residents who are along  
5 that area. And there is some more development in there,  
6 namely a River Park. But that's a new development along  
7 there.

8 Another aspect of that soil is there's as very  
9 large brownfield, the Westboro's railway yard. And that's  
10 adjacent to this area. Now, I'm not talking about the water  
11 coming off that, but I'm talking about some of the migration  
12 of sediment and soil, comes into that area as well.

13 So there are these reasons that we feel very  
14 strongly that there needs to be a current study,  
15 understanding the way that's functioning geomorphically, and  
16 we need the fluvial understanding of that water going  
17 through that area. Thank you.

18 MR. HOGAN: Yes, sir.

19 MR. BLAKE: My name is Roger Blake, Norwich,  
20 Vermont.

21 We've owned our property for about 26 years, and  
22 of the last five, eight years we've noticed a tremendous  
23 acceleration in the rate of erosion, such that the  
24 neighbors, conferring with one another from both sides of  
25 the river: "How are you coping with this? How are you

1 dealing with this erosion?" Because it's become a major  
2 concern.

3           And as the erosion takes away any vegetation from  
4 the banks, it leaves these vertical banks riverside, and  
5 there's no consistency in the soil. And as the river --  
6 which we've also noticed -- rises and falls at a much faster  
7 rate from what it did years ago, it creates this tongue  
8 effect: the water soaks in to the bank, and when the water  
9 leaves, rapidly due to the foam, it draws the dirt with it.  
10 The bank sinks, there's nothing to hold the tree roots, the  
11 trees fall in. And as this happens, it works further into  
12 the property, and you take vertical walls like this that are  
13 eaten out at the bottom because of this rapid flow of water  
14 in and out; there's no protection for the banks.

15           Throwing stones over the bank, in various sizes,  
16 acts as a buffer to try to filter that soil so it doesn't be  
17 drawn from the bank quite as quickly; acts as a wave break,  
18 but it doesn't prevent the water from going in the bank.

19           A private research project I've done; since I've  
20 been there, every fall I take a small rowboat and a little  
21 motor and I go as far as I can up the river, and I make  
22 mental notes of where there's erosion, and it's unbelievable  
23 the difference. Some of these banks are vertical now and  
24 they're 20 to 30 feet high. And they don't stand a chance.

25           We see numerous corn stalks come down by our

1 dock. Farmers are losing acres and acres of land. It's  
2 something that we've seen accelerate within the last few  
3 years, and we feel helpless; there's only so much we can do  
4 manually; we can't put equipment in the river, and getting  
5 rocks down there and placing it, it seems it's just too  
6 little. Thank you.

7 AUDIENCE: Have you consulted with the Department  
8 of Agriculture up in Norfolk?

9 MR. HOGAN: I have not.

10 AUDIENCE: I should point out we have, we have  
11 had three federal grants for repairing our property. The  
12 group in Hartford is very familiar with the erosion on the  
13 river.

14 MR. HOGAN: Do you have a contact?

15 AUDIENCE: Stu Schmidt. Carl.

16 MR. HOGAN: Carl.

17 The Department of Agriculture was invited to our  
18 meetings, and they may attend tomorrow; it's done through  
19 our public notice and our Federal Register Notice that goes  
20 out to all federal agencies.

21 Certainly any source of existing information that  
22 folks know is out there that they think is pertinent to the  
23 issue and is something that FERC should be aware of, I  
24 encourage you to file it or tell us where that information  
25 is.

1                   Any other questions or comments about geology and  
2 soils or erosion concerns?

3                   AUDIENCE: One of the things that these people  
4 should think about -- Kevin Keyer (ph) from the Natural  
5 Resources Council sends out --

6                   MR. HOGAN: I'm sorry? Kevin who?

7                   AUDIENCE: Kevin Keyer. He works for the Natural  
8 Resources. And he has brought me limbs from willows, and  
9 he rightfully says, and it works: You take those pieces,  
10 and all you've got to do is stick them in the water just  
11 above where the high water mark is. They won't grow right  
12 in the water, but if you can get them going, and it would be  
13 a nice project for anybody wanting to do something along the  
14 river, it helps. The bad part of it is it's beavers work to  
15 get them --

16                   (Laughter)

17                   That's inexpensive.

18                   MR. HOGAN: Thank you. And I have seen that  
19 work, also. Any other comments about erosion or geology and  
20 soils?

21                   We've been going for almost two hours. Do we  
22 want to take a five, ten minute break, or keep going?

23                   Okay, I'm seeing yes for a break. So let's make  
24 it a ten minute break, use the rest rooms, and then when we  
25 come back we'll move on to water resources.

1 (Break)

2 MR. HOGAN: All right, let's reconvene.

3 Thank you. Our next resource area that we've  
4 identified potential project effects on is water resources.

5 And Angie, I'll let you go through what we've  
6 identified.

7 Water Resources - Water Quantity and Quality

8 MS. SCANGAS: So this is Section 4.2.2, following  
9 Ralph. Also on page 24. So the effects of current and  
10 proposed project operations on water quantity as well as  
11 water quality, and particularly called out is dissolved  
12 oxygen and temperature, and then including cumulative  
13 effects of the operations of Vermont Nuclear, or Vermont  
14 Yankee nuclear power plant.

15 MR. HOGAN: That's when we move downstream,  
16 though.

17 MS. SCANGAS: Yes.

18 MR. HOGAN: Before we go on to TransCanada,  
19 identify any studies that they've conducted?

20 MR. RAGONESE: Yes. Well, a couple things. So  
21 along these lines, in our PAD we describe that we will have  
22 a river model that will basically be able to evaluate the  
23 impact of a lot of different scenarios on not only  
24 generation or ability to do it, flows, but it can also  
25 develop -- you know, you can evaluate the quantity of water.

1 There are things that may get proposed, but there really  
2 isn't enough water in the river at certain times to do that.  
3 So the model will be able to identify those constraining  
4 elements of a particular scenario.

5 So we have a very large optimization model that  
6 we will use to evaluate the various proposals.

7 MR. HOGAN: Let me interrupt real quick. So when  
8 we talk about water quantity, we're not only talking about  
9 reservoir fluctuations potentially that the model would be  
10 able to predict, but also downstream discharges --

11 MR. RAGONESE: Yes.

12 MR. HOGAN: -- and basically stream elevations  
13 and flows?

14 MR. RAGONESE: It will not predict downstream  
15 flow elevations.

16 MR. HOGAN: Okay.

17 MR. RAGONESE: We do have some information from  
18 other studies about that; but the model does not model  
19 downstream flow elevations. It does quantity, flows, but it  
20 doesn't do elevations.

21 MR. HOGAN: Okay, but it does do reservoir  
22 elevations.

23 MR. RAGONESE: Correct.

24 MR. HOGAN: Thank you.

25 AUDIENCE: So you don't have stage discharge

1 information downstream of the dam?

2 MR. RAGONESE: For the six miles below Wilder,  
3 but not at every location, no. It's not in the project, so  
4 we don't have -- the model will be able to develop flow, and  
5 there's information that has some stage discharge  
6 information. And we have some studies where there's some  
7 rare species that we have stage discharge information. But  
8 generally speaking, our models don't produce those results.

9 It could be a post-process in certain locations,  
10 but the model is not designed, not intended to.

11 The other, more on the water quality side of the  
12 house, we did conduct baseline water quality assessments  
13 this past year; those are just again -- they'll be filed  
14 with the Commission as well as with the agencies shortly;  
15 there is a final, second draft.

16 Actually -- this is Jennifer Griffin, she works  
17 with TransCanada. Can you just speak to the water quality  
18 one? You have a little more familiarity with some of the  
19 elements and where the locations were. But with respect to  
20 Wilder, what did we measure?

21 MS. GRIFFIN: We measured dissolved oxygen,  
22 temperature, and there were some chemical areas -- I don't  
23 know what you call, so I don't know what all of those were.  
24 But it's also in the PAD, and information on what was  
25 monitored there.

1 MR. RAGONESE: And the preliminary results?

2 MS. GRIFFIN: And the preliminary results, yes.

3 So just above the dam there was a continuous  
4 monitor that was looking at dissolved oxygen and  
5 temperature. There were two stations above that in the  
6 reservoir, not continuous. They were checked on every week.  
7 Once a week they were --

8 MR. RAGONESE: Profiled?

9 MS. GRIFFIN: -- measured, profiled. And then  
10 downstream.

11 AUDIENCE: So you do that vertical profile at  
12 these locations on DO and temperature?

13 MS. GRIFFIN: Yes.

14 And then just downstream in the tailrace. There  
15 is a continuous monitor in the tailrace.

16 MR. RAGONESE: And as all these studies --  
17 although I can't say all of them exactly -- the rare and  
18 endangered species, locations of critical information,  
19 cultural resources, some of those are going to be redacted  
20 versions because we have to protect those by virtue of what  
21 they are, and the agencies don't want that information out  
22 there. But things like water quality, we have a website:  
23 [www.TransCanada-Relicensing.com](http://www.TransCanada-Relicensing.com)  
24 and has the documents and the section and the public  
25 information library sections there are either going to be

1 some formal documents that we filed with FERC, there will be  
2 the documents in all the information such as studies like  
3 this this will be in the public information library on the  
4 web. So they will be up as well.

5 MR. HOGAN: So that's it for the studies?

6 MR. RAGONESE: Those are it for the studies.

7 Yes, sir.

8 DR. McINTYRE: Some of the discussion this evening  
9 has to do with people's opinions about whether the water is  
10 rising faster, dropping faster, rising more or less than it  
11 was 5 years ago, 20 years ago, 10 years ago.

12 And at least in the documentation I've been able  
13 to find so far, I don't see any way of expressing that. For  
14 instance, one could show daily levels per hour, per minute,  
15 whatever; real-time levels at the dam or other sites in the  
16 Wilder Lake. But pretty soon if you do that, you'll have a  
17 tremendous amount of data that is hard for the public and  
18 even experts to understand, until you get a good  
19 statistician to look at it and figure out a way to express  
20 the variability in that data. And to ask the question, what  
21 is a significant change from five years ago or ten years  
22 ago. And this has to be done.

23 MR. HOGAN: John, will the model be capable of  
24 looking at historical conditions and model what it was five  
25 years ago or ten years ago? Based on period of record.

1 MR. RAGONESE: Well --

2 AUDIENCE: This is an instantaneous --

3 MR. RAGONESE: Let me think about this for a  
4 second, because I'm kind of --. So my answer is yes and  
5 no, I guess.

6 What the model is, is meant to represent. It  
7 isn't -- I mean, we have historic data, but I don't have  
8 historic data as Dr. McIntyre may -- I don't have historic  
9 data at the Orford Bridge, which is really what he's getting  
10 at.

11 For example, if there were 15 gauges in the  
12 Wilder Reservoir, we'd be able to correlate what's either  
13 going on in the dam, what's coming in freakin flows, and  
14 what's coming in from upstream to what's happening in the  
15 reservoir. But our data is at the dam.

16 So just as we mentioned earlier, every time  
17 inflow is above our station capacity, which is 9,000 -- not  
18 20 or whatever you might have heard -- 9,600 or something  
19 like that; or 10,000 let's just say, round up. When flows  
20 are above 10,000 we have to start dropping the reservoir at  
21 the dam to keep it in its banks, of the stream.

22 That's what people may be seeing just as much as  
23 operations due to generation schedule. I don't know what  
24 they all are, but it's a systematic evaluation of  
25 relationships, and the model doesn't do that. You can make

1 a model probably to do that, but our model is designed  
2 around evaluating impacts from baseline conditions, which is  
3 what we do today. We can go back and say 'get rid of all  
4 the minimum flow requirements, all' -- you could go back and  
5 model --

6 MR. HOGAN: You've answered my question. I was  
7 just curious to know if the model was designed to look at  
8 that question or not.

9 Yes, sir?

10 AUDIENCE: On the subject of water quality, this  
11 is the second --

12 MR. HOGAN: Name again.

13 MR. LEWIS: Greg Lewis, City Manager of Lebanon.

14 The Lebanon -- from the city's perspective, we're  
15 very sensitive to the Westboro rail yards; it's a very large  
16 brownfield. And it's approximate to the river, and as I  
17 mentioned earlier about the soil, something about water.  
18 There's no interface between any of the water with regard to  
19 that very large brownfield, and the river end -- and there's  
20 no nexus as to the dam, water dam.

21 You know, we want to make sure that's clarified  
22 and clear, because I know we have concerns about soils and  
23 sediments coming off that brownfield, and they likewise have  
24 concerns about water coming off that brownfield, where it's  
25 going and how it's impacting. And that's of concern to us;

1 that's an unknown for us. But that's one concern that we  
2 will mention in our comments as well. Thank you.

3 MR. HOGAN: Thank you very much.

4 Other comments about water quantity or water  
5 quality?

6 That one was fast.

7 So we'll move on to aquatic resources.

8 Fishery or Aquatic Resources

9 MR. SEARS: Mike Sears, and this is Section  
10 4.2.3, issues for aquatic resources. Include effects of  
11 project operations and maintenance, including fluctuations  
12 in water levels and flow releases on aquatic habit and  
13 resources in the project vicinity. For example, resident  
14 and migratory fish populations, fish spawning, rearing,  
15 feeding and overwintering habitats, mussels and  
16 macroinvertebrate populations and habitat.

17 The next one is effects of project facilities and  
18 operations, including reservoir fluctuations and generation  
19 releases on fish migration through and within project  
20 fishways, reservoirs, and the downstream riverine corridor,  
21 which is also considered a cumulative effect on project  
22 effect. As well as effects on entrainment of fish  
23 populations, which is a project cumulative effect.

24 MR. HOGAN: Any --

25 MR. RAGONESE: Yes. Just a couple things that we

1 have either worked on.

2           In terms of the PAD, we didn't have a specific  
3 study that we identified in the PAD to assess habit and  
4 relationships to project operation on various habitats. We  
5 did identify that pretty obvious or likely PM&E or  
6 mitigation that's going forward, and we will continue to  
7 operate the fish ladders as required; and there is a fish  
8 ladder at Wilder Dam. And there are requirements for  
9 downstream passage at Wilder Dam, and we continue to expect  
10 that there will be use of both of those for one purpose or  
11 another. Currently they are for anadromous fish, Atlantic  
12 salmon at Wilder Dam.

13           In terms of a couple pre-scoping -- well, there  
14 are a couple; one of them applies downstream, but the one  
15 pre-scoping study that we did do two years ago was evaluate  
16 the presence and survey for dwarf wedgemussel; it's a  
17 federally-endangered species of mussels; it's been located  
18 and identified in all three impoundments. So we did a FARS  
19 (ph), we did a fairly extensive survey of the impoundments  
20 and portions downstream of the projects for mussels, and  
21 that report has been submitted to the state agencies, and we  
22 will be posting that study.

23           And that's all that would be related to Wilder  
24 that we've done this past year.

25           MR. HOGAN: Any comments regarding fishery or

1 aquatic resources, and project effects?

2 None. That's a first for me.

3 AUDIENCE: Wait until tomorrow; they'll come get  
4 you.

5 (Laughter)

6 MR. HOGAN: Okay. Terrestrial Resources.

7 Terrestrial Resources

8 MR. BATTAGLIA: All right, moving on. Section  
9 4.2.4, Terrestrial Resources.

10 Some of the initial issues identified are the  
11 effects of project fluctuations in water levels and flow  
12 releases from the project on riparian, wetland and littoral  
13 vegetation community types, and the spread of invasive  
14 species as a result of project operations along the  
15 shoreline of the project. Effects of project operation and  
16 maintenance activities, for example, road and facility  
17 maintenance, and project-related recreation on wildlife  
18 habitat and wildlife.

19 The effects of project operation and maintenance  
20 on river bank integrity and shoreline erosion along the  
21 project reservoir and the stream reaches, and its potential  
22 effects on riparian vegetation.

23 Effects of the frequency, timing, amplitude and  
24 duration of reservoir fluctuations on waterfowl and on  
25 riparian and wetland habitats.

1           The effects of project operation and maintenance  
2 and project-related recreation on bald eagles and their  
3 habitat.

4           MR. RAGONESE: So in the PAD we did not identify  
5 any specific future study that we were proposing, and we  
6 didn't identify any particular identification or enhancement  
7 measure in the PAD as well.

8           As mentioned before, in some of the pre-scoping  
9 type studies, we did perform a shoreline survey. So in  
10 addition to identifying erosion we were identifying wetlands  
11 and riparian types or habitats along the shorelines.  
12 Downstream of Wilder we performed, at those four jessup's  
13 milk vetch sites, essentially trying to develop stage flow  
14 relationships and identify the impacts of our operational  
15 flows for, or flood flows on those endangered species.

16           And then as I mentioned, as well, the rare,  
17 threatened and endangered species study, which also looked  
18 at the riparian location of -- well, I shouldn't say all of  
19 these species were located on the buffer or the shoreline;  
20 some were aquatic, some were above. But we identified the  
21 association between project operation and the various rare,  
22 threatened and endangered species that we either searched  
23 for or identified.

24           MR. HOGAN: John, regarding all these studies,  
25 did they all occur within the project boundary?

1           MR. RAGONESE: The jessup's milk vetch are not in  
2 the project boundary. The rare, threatened and endangered  
3 species surveys were in the impoundments; they were within  
4 the project boundary; and the shoreline surveys were also in  
5 the project boundary.

6           MR. HOGAN: Comments about terrestrial resources?

7           MR. RAGONESE: I'm not sure people understand  
8 what the project boundary is. Do you want me to explain  
9 what it is? It didn't really come out.

10           There have been a number of locations described  
11 here that are clearly outside the project boundary. Does it  
12 matter to you or not?

13 -           AUDIENCE: I think it would be good if you  
14 explained the project boundaries.

15           MR. HOGAN: Okay. Project boundary is an  
16 administrative line that is proposed by the applicant and  
17 approved by FERC, or approved with amendment, and it's  
18 required to encompass all facilities necessary to operate  
19 the project.

20           So typically that is the reservoir, powerhouse  
21 facilities, recreation facilities that are required by the  
22 license and any structures, primary transmission line  
23 corridor if there is one; and that's what is required to be  
24 inside the project boundary.

25           The project boundary does not tie to

1 environmental resource effects or study areas. The reason I  
2 asked the question was I know that they've done a lot of  
3 studies, and I just didn't know if TransCanada limited it to  
4 inside the project boundary because FERC does not  
5 necessarily do that. And I just wanted clarification.

6 - AUDIENCE: But the project boundary does or does  
7 not go up 45 miles to the reach of the pool?

8 MR. HOGAN: It does because it encompasses the  
9 reservoir. But it typically --

10 - AUDIENCE: But downstream?

11 MR. HOGAN: -- typically ends -- the downstream  
12 reach is no longer needed for project operations, so beyond  
13 the tailrace would be outside the project boundary.

14 - AUDIENCE: Even though there's clearly -- and  
15 this is for information even though it may sound -- even  
16 though there are impacts beyond the tailrace downstream --

17 MR. HOGAN: Again, we don't define the scope of  
18 environmental effects or resources to be studied by the  
19 project boundary. It's simply an administrative line that  
20 FERC authorizes the licensee to take, to have control over  
21 this area; and it's for all facilities that are necessary to  
22 operate the project.

23 If we found that there was some area that needed  
24 to be maintained or protected on a regular basis throughout  
25 the term of the license and is downstream, we could

1 incorporate that into a project boundary.

2 MR. RAGONESE: Ken, one clarification: Our rare,  
3 threatened and endangered species study did include  
4 downstream reaches.

5 MR. HOGAN: Yes.

6 MR. RAGONESE: That are affected by project  
7 operation, not just the impoundments.

8 MR. HOGAN: And I was just asking the question,  
9 because I was curious to know whether they limited the scope  
10 of the studies that they've conducted pre-scoping to a  
11 geographic area that was within the project boundary or not,  
12 and John explained that in some cases yes, but that is not  
13 because of the project boundary, just because of where they  
14 were doing it; meaning the riparian edge, which happens to  
15 be inside the project boundary; and then in other cases they  
16 looked at essential project effects downstream on -- vetch?

17 MR. RAGONESE: Jessup's milk vetch and all the  
18 rare and endangered species. We looked -- and when I say  
19 downstream reaches, it would be basically from Wilder's  
20 perspective, anything below Wilder Dam to where it's  
21 impounded, somewhere around the -- the bridge.

22 MR. HOGAN: That river end reach.

23 MR. RAGONESE: Around the bridge. But then we  
24 continued with the same survey, which is now called the  
25 Bellows Falls impoundment reach. So everything from North

1 Haverhill to the Vernon Dam has been investigated for rare,  
2 threatened and endangered species.

3 MR. HOGAN: Does that help?

4 - AUDIENCE: I think that was a good clarification.  
5 Thank you.

6 MR. HOGAN: And I'm sorry this didn't come up  
7 earlier. We don't tie the scope of studies to the project  
8 boundaries.

9 Yes, sir.

10 MR. BLAKE: An example of the loss of habitat,  
11 seven miles north of the Wilder Dam is where the  
12 Ompompanoosuc comes in. For 100 yards both north and south  
13 of where the Ompompanoosuc enters the Connecticut, used to  
14 be quite deep and was excellent bass fishing. When the  
15 water is low, you can walk back to higher area.

16 The erosion we talked about earlier has settled  
17 into this pocket. There's one narrow path where the  
18 Ompompanoosuc continues to drain out; otherwise, that all  
19 would be filled in with mud, and a loss of habitat.

20 MR. HOGAN: So that's an aquatic issue. Okay.

21 MR. RAGONESE: The Ompompanoosuc is a flood full  
22 tributary.

23 MR. HOGAN: And just for the record, can I get  
24 you to state your name again?

25 MR. BLAKE: Roger Blake.

1 MR. HOGAN: Thank you, Roger.

2 And you said it was a deep water pool that's --

3 MR. BLAKE: Yes.

4 MR. HOGAN: Other comments regarding terrestrial  
5 resources, riparian vegetation? We heard some comments  
6 earlier about bank sloughing and the perching of trees and  
7 things of that nature. I think we've kind of got that  
8 covered. But are there other concerns that haven't been  
9 verbalized yet?

10 (No response.)

11 Okay.

12 Threatened and Endangered Species

13 MS. McCANN: Mary McCann. Similar to some of the  
14 other aquatic resources for threatened and endangered  
15 species, some preliminary resource issue that was  
16 identified, and I've just kind of summarized the three  
17 bullets in one.

18 Effects of project operations or maintenance  
19 activities, including the reservoir and downstream flow  
20 fluctuations on aquatic, wildlife and plant species listed  
21 as threatened or endangered under the federal Endangered  
22 Species Act. And John has already mentioned a few of these;  
23 the dwarf wedgemussel and the jessup's milk vetch as  
24 examples, and the puritan tiger beetle is another one. And  
25 this would also be evaluated for a cumulative effects as

1 well.

2 MR. HOGAN: Any comments on threatened and  
3 endangered species?

4 Oh, I'm sorry, John. Have you covered all your  
5 studies on T&E already?

6 MR. RAGONESE: Just. I just re-mention, we did  
7 evaluate jessup's milk vetch locations; we did do a full  
8 assessment for rare, threatened and endangered species, we  
9 did look and did a survey for the other federal endangered  
10 species in our project area, the dwarf wedgemussel.

11 I would note that the puritan tiger beetle is not  
12 in our project; it's a species that is in Massachusetts, not  
13 in our area. So there are -- as I read the scoping  
14 document, as it was just mentioned, the first note was a  
15 cumulative effect but the other two were not noted as  
16 cumulative effects; and they do include the puritan tiger  
17 beetle in their -- so I just want to make note of that, that  
18 that is not in our projects.

19 MS. McCANN: You mean not at Wilder?

20 MR. RAGONESE: Not at Wilder, Bellows or Vernon.

21 MS. McCANN: It's down at Sumner Falls.

22 MR. RAGONESE: No, that is a cobblestone tiger  
23 beetle.

24 MS. McCANN: Cobblestone tiger beetle.

25 MR. RAGONESE: And that is not a federally

1 endangered species.

2 MR. HOGAN: We will modify, for Scoping Document  
3 2 accordingly. But there is potential for cumulative  
4 effects of the TransCanada projects downstream. Mary?

5 MS. McCANN: Yes. Yes.

6 MR. RAGONESE: Yes, we presumed that.

7 MR. HOGAN: Thank you, John.

8 Along those lines, does anybody know of any  
9 species that we may have missed or should be added to the  
10 list? And clearly, we'll be talking with Fish & Wildlife  
11 service tomorrow.

12 Any other comments regarding T&E species in the  
13 projects effects?

14 Okay. Recreation.

15 Recreation

16 MR. BEECO: So Section 4.2.6, Recreation.

17 The adequacy of existing recreation and public  
18 use facilities in meeting existing and future regional  
19 public use and river access needs.

20 Effects of project operations on quality and  
21 availability of flow-dependent and water level-dependent  
22 recreation opportunities, including boating.

23 And adequacy of structural integrity, physical  
24 capacity, and/or management methods to support recreation  
25 use at existing facilities.

1           MR. RAGONESE: And then in our PAD, we did not  
2 identify a specific recreation-type study or requirement.  
3 We don't typically; there are some, but we didn't  
4 necessarily propose them in our PAD.

5           In terms PM&E measures proposed, the only  
6 relevant one beyond our continuing to manage our recreation  
7 plans that are currently in our licenses, we do plan to  
8 continue our recreational reservoir weekend summer boating,  
9 higher reservoir levels to assist in recreational boating on  
10 the reservoirs. And then our shoreline survey did include a  
11 survey of public and private recreation noted; again it's  
12 primarily GIS-based. However, we would note that that  
13 survey was done just beyond the recreation season, so we  
14 might have missed something.

15           MR. HOGAN: Anybody have any comments about  
16 recreation opportunities or facilities that TransCanada  
17 provides?

18           Sir.

19           MR. CHRISTOPHER: Good evening. My name is Tom  
20 Christopher. I represent the New England FLOW, American  
21 Whitewater, and I'm also here with one of my colleagues, Bob  
22 Nasdorf, from American Whitewater.

23           I'd like to start out by acknowledging some of  
24 the previous testimony that we've heard about bank erosion  
25 and some of the problems that were discussed tonight, and I

1 would like to compliment those people who spoke on the  
2 quality of their presentation and the specificity of their  
3 presentation; it was very good and very impressive.

4           And clearly, the erosion is a most important  
5 problem to these people; and it is not to be -- I guess, it  
6 has to be taken very seriously. But on the other hand, so  
7 does recreation. Even though these people are very specific  
8 about their concern, we are just as concerned about the  
9 recreation, the opportunities that we have or do not have.

10           And primarily we're talking whitewater recreation  
11 and canoeing, and seven miles downstream from Wilder Dam,  
12 located in half of Vermont, lies a river reach known as  
13 Sumner Falls. It's sometimes called Hartland Rapids, and a  
14 series of ledges that are sprawled across the river, and  
15 Whitewater Run is about a quarter mile.

16           Where the dam was built, that was the original  
17 Olcott Rapids at the site of the dam. And they've been  
18 completely drowned by the project, thereby eliminating any  
19 opportunity for whitewater paddling to take place.

20           And if regularly scheduled flows that were  
21 consistent were provided, the recreational use of the  
22 resources, particularly at Sumner Falls, would certainly  
23 increase substantially and provide a significant economic  
24 benefit to this region.

25           I want to talk about some impacts, and I'm going

1 to talk about some issues. The most important issue to us  
2 right now is the fact that the Wilder Dam has drowned out  
3 three rapids over the stretch of one mile, plus what has  
4 happened over there at Sumner Falls

5           The second issue that I'd like to talk about, and  
6 although it may not seem germane to some of the other  
7 testimony that we've heard here earlier today, I'd like to  
8 talk a little bit about economics analysis, because of the  
9 real value of the Connecticut River to recreationists can  
10 only be measured with some significant measure of economic  
11 analysis and related socioeconomic impacts, by the fact that  
12 we don't have this resource available to us.

13           The other issue that I'd like to talk about is  
14 the concept of offsite mitigation. I don't think any of us  
15 here this evening thinks that the dam is going to be  
16 removed. More than likely it will get relicensed; but the  
17 fact of the matter is relative to whitewater paddling,  
18 there's no way that we're probably going to be able to  
19 replace that on this site.

20           However, there are other rivers within the region  
21 of this dam that would be available if some sort of offsite  
22 mitigation package that could be developed on those other  
23 rivers. Particularly where you have other federal agencies  
24 that have a range of influence such as the West River with  
25 the Army Corps of Engineers.

1           So we would ask FERC to look at the concept of  
2       offsite mitigation relative to whitewater paddling in the  
3       case where there is very little that they can do to replace  
4       what we have already lost here. And I'm not suggesting that  
5       they do that, but we are suggesting that they at least take  
6       a look at some sort of offsite mitigation.

7           Relative to the kind of studies that we will be  
8       looking at for Sumner Rapids or what is left of it, we would  
9       like to see a controlled whitewater flow study. FERC is  
10      very familiar with that and the methodology that's been used  
11      for a long, long time. We would like an economic analysis  
12      done for this particular region, and we would like the  
13      economic analysis relative to recreation and whitewater  
14      pattern and camping and canoeing be based on a contingent  
15      valuation method of study, which will indicate the  
16      willingness to pay for additional recreational resources.

17           And finally, we would -- again getting back to  
18      the concept of offsite mitigation, we would like a study, or  
19      FERC could conduct a study or the applicant could conduct a  
20      study relative to how this might possibly happen in  
21      conjunction with other resources or with other federal  
22      agencies.

23           I would like to compliment the applicant for the  
24      amount of time they did put into the PAD; we have worked  
25      with them in the past and it is good to be working with them

1 again, and we hope that we will continue the collaborative  
2 manner of working with them to solve some issues on Wilder.  
3 Thank you.

4 MR. HOGAN: Thank you, Tom.

5 MR. CHRISTOPHER: I'll have written stuff for  
6 you.

7 (Statement follows:)

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1 MR. HOGAN: Sir?

2 MR. NUNEZ: Tad Nunez, Town of Hartford.

3 Director of Parks and Recreation.

4 I'm here to compliment the Applicant. Several  
5 years back we worked into the lease back in New England, and  
6 so forth, was watching the property deteriorate, the  
7 recreation site appalling. Two years into it with  
8 TransCanada, the relationship with the staff, we now have a  
9 wonderful partnership, a lease, and my department manages  
10 that property, to which now we have a five year Master Plan  
11 that is infused each year with several dollars of grants and  
12 donations and the like.

13 What's important here is the access to your  
14 river. Not a lot about the river. And even on your own  
15 property, or their property, you're losing slumps of  
16 property due to this problem that was talked about earlier.  
17 I'm here to talk about recreation.

18 And with that said, the number of people in the  
19 neighborhood, the number of people in the regional area who  
20 have embraced Kilowatt North and South, or what used to be  
21 the picnic area, Kilowatt picnic area, or the ball field --  
22 but the generations of families that are coming back to that  
23 property and seeing what is occurring because of the FERC  
24 licensing, and was the responsibility of the Applicant, we  
25 in the town take that very seriously and put together the

1 lease. If we did invest any funds; state, federal or local,  
2 that would be managed well. So we have very much an  
3 interest in retaining this license.

4 But more importantly, its integrity of the  
5 Connecticut River and the public access to the river. And  
6 that is one means that two large parcels of property with  
7 paths in between, we now host one of our largest fireworks  
8 displays in the Upper Valley there. Many, many different  
9 nonprofit organizations use it as a destination for on and  
10 off the river, flotillas coming down. But I have to say, I  
11 did not chime in earlier, but there is a direct correlation  
12 somewhere between the rising and the lowering, the  
13 consistency of the river even in the park properties that I  
14 manage today.

15 That's including downriver at Radcliffe Park  
16 where there's a bit of an irony. Many of the towns  
17 including Hartford have very strict riparian buffer setback  
18 regulations to construction. We are putting in more  
19 seedlings and plantings in these park places and  
20 conservation areas to sustain the embankment; but it's a  
21 difficult tussle because we do see the constant up and flow.  
22 And I'm not talking about Tropical Storm Irene; that just  
23 happened to be more a kick in the butt.

24 But I applaud the Applicant for the recreation  
25 use of the Kilowatt North and South parks. Thank you.

1 MR. HOGAN: Yes, sir?

2 MR. SIMS: Hi, my name is Norman Sims. I'm here  
3 representing the Appalachian Mountain Club. My colleague,  
4 Dr. Ken Kimball, will also be representing the AMC, and some  
5 of you may have met him in the past.

6 If I could, I'd like to make several comments  
7 about recreation on the river, and then a couple additional  
8 comments that I don't know where else to put, and I do have  
9 some written documents.

10 The Appalachian Mountain Club dates from 1876,  
11 and it's currently the largest recreation and conservation  
12 organization in the Northeast. We have about 90,000  
13 members.

14 Our interest in hydropower relicensing, and we  
15 have worked on a number of projects in the past including  
16 the folks from TransCanada. It was mostly related to  
17 conservation and recreation.

18 So our interests in Wilder have to do first of  
19 all with the controlled flow study that Tom mentioned  
20 earlier downstream at the Sumner Falls rapid. This has been  
21 done a lot, the procedures are fairly standardized now. I  
22 think the first ones were done on Deerfield River  
23 relicensing, starting in about '98. Sumner Falls is a  
24 popular kayak place, and it's used widely in the region.

25 We also have an interest in the offsite

1 mitigation to make up for the loss of the Olcott Falls and  
2 other things that cannot be replaced as long as the facility  
3 remains. We think that offsite mitigation ought to be in  
4 line with a watershed point of view on the river, such as  
5 has been taken by the Department of Interior in designating  
6 the Connecticut River and its watershed as the first  
7 National Blueway.

8           Other federal agencies that signed onto that  
9 National Blueway concept including the U.S. Army Corps of  
10 Engineers, which signed an MOU with the Department of  
11 Interior, saying that they would contribute to the  
12 recreational development of the watershed.

13           Something Tom didn't mention is that we have an  
14 interest in improved recreational opportunities for  
15 multiple-day canoe trips on the Connecticut River. In the  
16 Northeast if you want to spend two or three days camping in  
17 a continuous canoe trip, about the only place you can do  
18 that is the St. John River or the Allagash in Northern  
19 Maine; you're going to drive seven or eight hours to get  
20 there. It's hundreds and hundreds of miles  
21 from the nearest population center.

22           The Connecticut River is a prime candidate for  
23 that kind of multiple day canoe trip within easy driving  
24 distance, like three hours, of millions and millions of  
25 people. The primary difficulty with making those trips is

1 the stopper dams in the river.

2           And so in relation to that, we will suggest a  
3 study of the quantity, quality and adequacy of the land-  
4 based facilities associated with the Wilder facility. This  
5 study should examine the put-ins, the takeout, the  
6 facilities for canoeing and kayaking, portage routes,  
7 campsites, parking and road access, seasons of operation,  
8 maintenance and sanitary facilities and project lands. The  
9 portage trail, for example, around Wilder Dam is terrible  
10 and needs to be relocated.

11           We also think that these kinds of studies should  
12 include a projection of usage over the proposed 30-year  
13 license. And where necessary, the opportunities for project  
14 owners to buy additional land in order to provide necessary  
15 facilities.

16           If I might mention three other things, and I  
17 don't quite know where to put them. There was someone on  
18 the panel named Bob who had to do with cultural resources?

19           That's you. I'm sorry. (Referring to Bob  
20 Quiggle)

21 We have an interest in the historical study of the river as  
22 it existed prior to the construction of the dams, including  
23 photographs of the natural riverbed. We would like to  
24 request additional information on that.

25           I have learned that there may be as many as 300

1 large scrapbooks of photographs and engineering reports on  
2 the original construction of the dams, including photographs  
3 of how the river looked before the dams were there, and  
4 during the construction process. Perhaps only 25 or 30 of  
5 these remain. The others may be scattered around in  
6 different facilities.

7 I'm a professor at the University of  
8 Massachusetts and a historian. I think this is a valuable  
9 historical resource that should be recovered. There's been  
10 some changes in ownership, and some of these documents may  
11 have been scattered over the years.

12 We also have an interest, the AMC also has an  
13 interest in the educational benefits provided by the project  
14 owners to the public. Can they support leadership training  
15 and outdoor recreation in area schools? Can there be  
16 informational signage and kiosks and project facilities  
17 promoting education about invasive species, water flows, the  
18 history of the area, who to call with problems, and how to  
19 get involved.

20 Two items lastly. We have an interest in the  
21 economic health of the owners of all the hydropower dams on  
22 the river that are being relicensed. Are they being managed  
23 in a profitable way that will permit them to continue  
24 providing appropriate maintenance and provide the public  
25 benefits as required in the licenses? We would like to see

1 a study of the financial production at each individual  
2 facility that is being relicensed.

3           In association with that request, we would  
4 recommend that the EIS and FERC look into creating an escrow  
5 decommissioning fund for the Wilder Dam. In an age of  
6 international finance, deregulation, changing ownership, and  
7 global warming, the financial health of the ownership can be  
8 brought into jeopardy by distant events or by catastrophic  
9 events, such as a couple Hurricane Irene storms rolling up  
10 the valley.

11           With the catastrophic failure of the dam and the  
12 financial failure of an ownership, the public should not be  
13 burdened with decommissioning costs. So an escrow  
14 decommissioning fund might be very beneficial. Thank you.

15           (Prepared statement follows:)

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1 MR. HOGAN: Thank you, Norman.

2 Other comments regarding recreation facilities?

3 MR. MUDGE: John Mudge, again, landowner in Lyme.

4 As a landowner on the river, and others who own  
5 land on the river, we use it a lot for recreation. Over the  
6 years, we've permitted any number of people to camp on our  
7 land if they're coming down in a canoe.

8 My question that comes back to the erosion issue.  
9 They maintain the water at a high level over the weekend for  
10 the summer users. I think that the erosion that is caused  
11 by that, there may be excessive erosion that is caused by  
12 maintaining that high level. So I think that's part of the  
13 erosion study that has to be undertaken.

14 MR. HOGAN: So take into consideration in any  
15 erosion study the effects of maintaining that pool. You  
16 said to do that on the weekends during the summer vacation  
17 system?

18 MR. RAGONESE: We don't maintain the high level;  
19 we maintain the low level higher. Follow me? Instead of  
20 having it go to say 382, we don't go lower than 382.5.  
21 That's what that is. You maintain the low level limit,  
22 higher, for boating access.

23 MR. HOGAN: Yes, sir.

24 MR. LEWIS: Greg Lewis, the City Manager of  
25 Lebanon.

1           A third focus, and this goes to the statement I  
2 was going to make, so I had to waive that statement. This  
3 is the last one from our perspective, to look at all the  
4 issues, and that's recreation.

5           And that the City, in its Master Plan that it  
6 completed last year, on file, on record, and it is a  
7 question of bikeability, walkability, and access to a water  
8 experience. And there's some comments made earlier about  
9 being able to do access to water for water experience;  
10 kayaks, canoeing, other things.

11           The activity levels in recreation areas all are  
12 related to the river; and the river, walking the river,  
13 keeping the river experience. There are pieces along the  
14 river where there is excellent opportunity for river  
15 experience; but the facilities along the river with regard  
16 to recreation where it's appropriate environmentally are not  
17 well-developed. There are pieces of them, but they are not  
18 well-developed.

19           There are some very close, proximate areas to the  
20 conservation land directly above the dam itself that has  
21 increased using by persons going into that area; they're  
22 parking in a parking lot next to the dam in the West Lebanon  
23 area.

24           There's a new development, the river park  
25 development I mentioned earlier where there's going to be a

1 recreational, opportunities that -- a very large development  
2 for that area along 10, going up toward Hanover. We have a  
3 bike ped committee that works on the river walk, either  
4 river -- capacity along the river between Hanover and with  
5 regard to West Lebanon. And then across the river to  
6 Hartford and to White River Junction, and we're looking at  
7 opportunities as to how to improve walkability and  
8 bikeability prospects. There's a new bridge going into West  
9 Lebanon and over to Hartford, and that new bridge is in  
10 development; and there's a lot of discussion and there's  
11 plans about what to do with that bridge by the river.

12           There is also a greenway that is proposed, on the  
13 books, with regard to development by the state in  
14 conjunction with the city, where we would develop a pathway  
15 from downtown Lebanon to West Lebanon, right to the river.  
16 And that river junction there is of course -- once again  
17 I'll mention the Westboro railway yard, which is a  
18 brownfield, a blighted area that has aesthetic issues as  
19 well as the lack of taking advantage of an area that's  
20 probably, its best highest use may be for recreational types  
21 use; and that this area of recreation is all proximate to  
22 rivers, all could be part of river -- and join in an  
23 experience in preserving the river, and the riverfront and  
24 the river bank.

25           So this recreation area is the third focus for

1 the Lebanon definition, and so that's our summary, as I  
2 talked about earlier to preserve the bank, the erosion issue  
3 which was mentioned; look and deal lastly with this  
4 recreation concern; and then this water quality concern that  
5 we have coming out at one particular area.

6 MR. HOGAN: Thank you, Greg.

7 MR. BLAKE: Roger Blake, Norwich.

8 This effort to attract people on the weekends by  
9 holding the water level up is a wonderful thing; it does  
10 attract a lot of people. Two of the things that occur is  
11 that the water quality goes down terribly, because the water  
12 is in (loud noise).  
13 It doesn't take any of the sediment and work it along; it  
14 just makes the water very muddy.

15 Also, where can riprap has been done along these  
16 banks, we put it there, we think gives us adequate  
17 protection, but when the water is high, boat traffic  
18 produces waves which seep through riprap, and will go over  
19 it and start it going down the bank on the riprap.

20 One of the things that Dartmouth has done, from  
21 Light Yard bridge north for 2500 feet is a no-wake zone.  
22 And with that, they've eliminated, or they're hoping, some  
23 of the erosion from the boats and also perhaps those that  
24 might be swimming or kayaking or canoeing along their  
25 property.

1           MR. HOGAN: Any other comments regarding  
2 recreational opportunities or facilities in the project  
3 area?

4           No? Okay.

5           Land Use and Aesthetic Resources.

6           MR. BEECO: All right. Land use. Again the  
7 boiler points are: Adequacy of existing shoreline management  
8 policies and programs to control non-project use on project  
9 lands. And adequacy of shoreline buffers to achieve project  
10 purposes and compliance with local and state requirements.

11           MR. RAGONESE: In the PAD we had no proposed  
12 studies or PM&E measures that we had identified. And to  
13 date we have not had a specific study or any pre-scoping  
14 studies other than the shoreline surveys, and what not that  
15 we had done prior to.

16           I will note that the project boundary, and the  
17 Wilder project is probably 95 percent private land with full  
18 conversion rights, and the fee land that we have is  
19 primarily immediately adjacent to the Wilder Dam itself, on  
20 both sides of the dam.

21           We do have, just the mention earlier of thinking  
22 of, there are a few items that are upstream; one is in the  
23 Town of Hanover; half of it is leased to the Dartmouth  
24 Diving Club; the other half, we have a canoe, through-canoe  
25 rest, camping site that is a non-project recreation, but it

1 is something that we -- and we maintain, we maintain several  
2 throughout the projects, including Wilder Dam. That's all I  
3 have on land use.

4 MR. HOGAN: Any comments regarding current land  
5 use practices or protection measures?

6 Land Use and Aesthetic Resources

7 MR. HOGAN: Okay. We didn't identify anything  
8 for, any concerns for aesthetic resources. Does anybody in  
9 the public have any concerns about the aesthetic resources  
10 of the area associated with the project?

11 (No response.)

12 Socioeconomic Resources

13 MR. HOGAN: Regarding socioeconomic resources,  
14 we've heard today socioeconomic resources associated with  
15 recreational opportunities with flow recreation downstream  
16 of the project; is it Sumner Rapids?

17 MR. RAGONESE: Sumner Falls.

18 MR. HOGAN: Sumner Falls.

19 MR. RAGONESE: We visited that on the site visit,  
20 you recall.

21 MR. HOGAN: Yes. I remember -- it's the names.

22 Any other socioeconomic-type resources that  
23 should be evaluated in our analysis, beyond recreation?

24 Yes, sir.

25 MR. SIMS: Norman Sims again.

1           I hope that in analyzing these things there's a  
2 careful distinction made between the economics of the  
3 project and the values of the project. A canoeist that  
4 comes down river passes beyond three or four dams, has a  
5 valuable experience but may not spend a dime in doing so.

6           And the contingent valuation studies of  
7 recreation tend to figure out what the value is. And I only  
8 bring that up because you mentioned aesthetics. What is the  
9 value of aesthetics? You can determine that with a  
10 contingent valuation study. What's the value of having fish  
11 in the river or trees along the bank? But they don't spend  
12 any money.

13           The economic impact of a project is actually  
14 something quite different from the values of the project.  
15 And I think the values are more important. They do lead to  
16 economics, but the values are where we're coming from.

17           MR. HOGAN: When we talk about socioeconomics,  
18 we're talking about the potential money that may be raised  
19 within the economy as a result of providing a certain type  
20 of recreational opportunity or things of that nature; but we  
21 also look separately at the economics of the project; and  
22 they are kept separate.

23           DR. McINTYRE: Just point out that as the former  
24 director of the Norris Cotton Cancer Center, our annual bike  
25 ride brings in now \$2.5 million of money from people around

1 the countryside here who come to ride in this valley. And  
2 part of the attraction of riding in this valley is to ride  
3 alongside a lovely reservoir.

4           There are economic implications of what is going  
5 on here that go far beyond generating electricity.

6           MR. NUNEZ: Tad with the Town of Hartford. I  
7 guess that's what I was trying to emphasize; that since the  
8 town took over the management of the park, the number of  
9 people using the park is a direct correlation to what is  
10 happening with visitors coming to that location and their  
11 awareness of TransCanada, the work they have done, being a  
12 partnership.

13           And when I say nonprofits, there are nonprofits  
14 doing their fund raising events on the property, because  
15 we've been allowing them to do with certain site amenities,  
16 but this gentleman has mentioned the fact that AMC, that  
17 there be Port-a-Potties that are cleaned, water, parking,  
18 things of that nature and well managed. But he's also  
19 seeing economic benefits to the Wilder Village, to the  
20 Hartford, and as he mentioned earlier, to other large events  
21 that come up.

22           So these are things that are spun off from  
23 TransCanada doing a good job, to energy; but not necessarily  
24 being good park stewards. They're good park stewards. We  
25 partner. It's been a great relationship, and I hope we will

1 continue. And very responsible. But it is a direct  
2 socioeconomic benefit to the Upper Valley, because we've had  
3 an infusion of new docks, new paths, new picnic tables,  
4 keeping it clean. We had a new path put in by the Vermont  
5 Corps of Engineers or Youth Corps of Engineers.

6 So there's been a whole lot of new energy in the  
7 past five years. It has been a significant impact on the  
8 socioeconomics. I have to tell you, there was one spin  
9 where they thought they were going to build a boathouse, a  
10 very elite boathouse. And the neighborhood became very  
11 clear that this was not going to happen. And it didn't  
12 happen. I'm very happy to say it didn't; I think the  
13 neighbors understood what was best to happen now.

14 But TransCanada did not play a role in a sense  
15 what should or should not be. They understood their role  
16 with FERC licensing. And having it open to the public and  
17 not have it provincial to who could go through the doors of  
18 a clubhouse.

19 MR. HOGAN: So this is the Kilowatt Parks, north  
20 and south?

21 MR. NUNEZ: This would be Kilowatt South. Two  
22 properties.

23 MR. HOGAN: And these are TransCanada rec  
24 facilities.

25 MR. NUNEZ: Correct, that are leased to the town

1 to manage as park facilities called Kilowatt South and  
2 Kilowatt North.

3 MR. HOGAN: And required by the license, the rec  
4 facilities?

5 MR. RAGONESE: Yes, these are.

6 MR. HOGAN: And basically you fund the town for  
7 the management of --

8 MR. NUNEZ: They don't fund this at all.

9 MR. RAGONESE: It's management.

10 MR. NUNEZ: We manage it entirely, including  
11 mowing, grading, and the infrastructure that is necessary to  
12 maintain, including a full master plan. That's something we  
13 decided to embrace in the lease agreement, to sustain it.

14 MR. RAGONESE: Yes. We never had a -- there's a  
15 large ball field there. We don't have a soccer field in our  
16 recreation plan, but their use of the field, the area  
17 included expanding opportunities; it made perfect sense; the  
18 land was there, so there's a soccer field there as well for  
19 the Town's use.

20 We have had proposals, as was mentioned, for a  
21 very, very swanky boat house for skull, you know, rowing for  
22 example; and again when we were looking at that we made it  
23 very clear that this is an area that has to appeal to the  
24 public, and I think that's what Mr. Nunez is talking about,  
25 that the community came to look at this in the same way; how

1 can we better use this for the public as opposed to leasing  
2 it out or potentially restricting it in some way. But  
3 again, these were people coming to us, this was the better  
4 end result of what came out of it.

5 MR. HOGAN: Thank you for the clarification.

6 Go ahead.

7 MR. SIMS: Just one other point about the  
8 socioeconomic. The importance of using contingent valuation  
9 is that it will identify a number of resources, well let's  
10 say revenue generators throughout the economy, the local  
11 economy, whether it is a nonprofit or if it's a club, if  
12 it's a for-profit. But the survey should, on this  
13 particular reach of the river, should certainly include  
14 reaching out to hadras  
15 groups, community groups and things like that to get a true  
16 picture of what the potential economic value will be.

17 MR. HOGAN: Is AMC going to be coming forward  
18 with the study requests for the contingent valuation?

19 MR. SIMS; Yes.

20 MR. HOGAN: Thank you. I wrote it down.

21 Okay, great. Look forward to it.

22 MS. CAVIN: I am Sara Cavin, I work at the Upper  
23 Valley Land Trust. One thing was tying in with  
24 socioeconomic, and also back to land use a little bit.

25 We've worked with a lot of landowners like John

1 Mudge to protect agricultural resources along the river, and  
2 the Connecticut River is one of the most agriculturally  
3 prime areas in the country, actually, with soils that are  
4 really valuable. I think in the past some of the  
5 TransCanada lands in Charleston and Rockingham south of the  
6 Wilder Dam have been leased to farmers, and I think that's  
7 commendable that TransCanada would allow that resource to be  
8 used.

9           So one thought I had was just socioeconomic  
10 related to local agriculture and the industry is pretty  
11 important; and the loss of our equivalent because of all the  
12 issues we've touched on already today, is something that  
13 should be kept in mind in the bigger picture of management,  
14 because it is all, a lot of private lands that are farmed,  
15 and facing some of the consequences of river management or  
16 damage.

17           MR. BLAKE: Roger Blake, Norwich.

18           Socioeconomic, or quality of life -- I speak for  
19 the landowners here. We're very proud to own land along the  
20 Connecticut River; it's a wonderful place. We just want a  
21 good working relationship with this institution which has a  
22 dam on the river, and we want them to realize that they're  
23 dealing with people and people's lives; and it isn't just  
24 how much money they can make by generating power, it's how  
25 they're going about it that's affecting the lives of many

1 people.

2 MR. HOGAN: Thank you, Roger.

3 MR. GEIGER: Kevin Geiger, Two Rivers-  
4 Ottauquechee Regional Commission.

5 Mine is more of a process question than anything  
6 else here; but if there are no issues identified and there  
7 are no proposed studies by the applicant, then would  
8 comments at this meeting generate FERC to decide that a  
9 study is needed?

10 MR. HOGAN: Possibly.

11 MR. GEIGER: So it can be that level or people  
12 could say 'actually, we think this study is needed' and go  
13 through a list of why you need the study and the seven part  
14 list.

15 MR. HOGAN: Just like all of you, any study  
16 requests that FERC feels are appropriate, we have to file  
17 study requests as well by March 1st. And we are working on  
18 those.

19 So comments that we receive here today, and to  
20 the extent that we understand them, we can generate our own  
21 study requests for various issues. But we have to  
22 understand them; and like I said, we may not come up with a  
23 study request that you think is germane; so don't rely on  
24 FERC to do it, you know. It's important that if you feel  
25 that you need a study you tell us. Put in your request, and

1 you may see that FERC also does it, too.

2 MR. GEIGER: I'm just thinking ahead, that March  
3 deadline comes and goes, if people have given you a comment  
4 and they think 'Oh, that's taken care of.' Post-March 1  
5 we'll find out one way or the other, if it's in that  
6 document that comes out after March 1.

7 There's kind of no draft between now and March 1  
8 to go 'Oops, you know, I made a comment at the meeting, it's  
9 being taken into account.'

10 MR. HOGAN: We're talking about two different  
11 things here. Comments and study requests are two separate  
12 things. Comments that address issue that we have not  
13 identified in Scoping Document 1 should get captured in  
14 Scoping Document 2. So issues that you know are germane to  
15 erosion that we haven't identified or have been identified  
16 adequately, we will modify the document to say we are also  
17 going to look at these additional things that we did not  
18 cover in SD1, and when SD2 comes out, SD1 is -- Scoping  
19 Document 1 and Scoping Document 2 -- when SD2 comes out, all  
20 of the changes will be in bold italic print.

21 So it will be almost a carbon copy except for the  
22 bold italic print where we've added everything; and if we  
23 take something out, I believe we strike it. So you'll see  
24 where the changes have been made.

25 Regarding study requests, you know, just because

1 FERC doesn't necessarily ask for a study after these  
2 meetings that you think is important, those study requests  
3 are going to the applicant. And the applicant is going to  
4 prepare a proposed study plan. And then there's 90 days  
5 after that proposed study plan comes out to work with the  
6 applicant, FERC, to convince us why that study is  
7 appropriate, at least the applicant will say is appropriate;  
8 what needs to be done, how it needs to be done, and the  
9 information that we're looking for.

10 In the end, if the applicant remains unconvinced,  
11 we're going to take all the information, we're going to  
12 become a judge and make a decision, is this study  
13 appropriate or isn't it? I've sat in on lots of study plan  
14 meetings where I have said to an applicant, 'I think we're  
15 going to need this information.' I've also said to  
16 requestors, 'I'm not convinced how this is a project effect.  
17 If you can convince me, that's what you need to do. You  
18 need to explain to me why this is a project effect, that  
19 it's appropriate for the licensee to be looking at.

20 MR. GEIGER: But if you've already raised it, and  
21 your document as you know -- this is an issue, people can be  
22 confident that that's going to get asked and try to get  
23 answers.

24 MR. HOGAN: Well, not necessarily. Because we  
25 also deal with the criteria. So if we feel that there's

1 existing information that's sufficient on the record or  
2 available to address an issue, we may not have a study  
3 request.

4 But you may feel differently and you may say that  
5 the information is not sufficient, and this is why; you can  
6 convince us that 'okay, we were wrong.'

7 Did that answer your question?

8 MR. GEIGER: Yes.

9 MR. HOGAN: Okay.

10 Any other questions on process?

11 All right.

12 MR. RAGONESE: And people do know that there are  
13 the booklets for the study criteria.

14 MR. HOGAN: I was actually going to mention that.

15 We have a couple of guides for addressing the  
16 study -- well, there is one guide out on the table, it's for  
17 addressing study criteria; it's a new document that we  
18 prepared this past year. Basically gives you examples,  
19 gives you what FERC is looking for in each of the criteria,  
20 and should really help coach you along on how to address the  
21 study criteria.

22 There's another handout out there that's Tips and  
23 Ideas for Implementing the Integrated Licensing Process.  
24 Things that we have found in polling stakeholders such as  
25 yourselves and licensees, how different licensees have taken

1 different approaches, stakeholders have taken different  
2 approaches; what has worked, what hasn't.

3           So it's a tool for everybody involved to think  
4 about how do you want to work through the process? Here's  
5 what's worked, here's what hasn't. But like I said, the  
6 criteria, and we do have a new guide on implementing the  
7 criteria; so the study is a key component for FERC and I  
8 highly suggest if you're planning to write a study request,  
9 you read the guide on applying the study criteria and you  
10 apply it.

11           So we've covered socioeconomic. Any other  
12 comments in socioeconomic?

13           Okay. Cultural resources.

14                           Cultural Resources

15           MR. QUIGGLE: Section 4.2.10 of SD1 describes the  
16 issues we've identified in association with cultural  
17 resources. And those are project effects on historic and  
18 archaeological resources, including traditional cultural  
19 properties listed in or eligible for inclusion in the  
20 National Register of Historic Places.

21           MR. HOGAN: We had comments earlier from AMC  
22 asking for historical records of the project construction  
23 and overtime being documented.

24           MR. MUDGE: John Mudge from Lyme, again.

25           Are you aware of the Native American gravesites

1 that have been exposed through the erosion up in Haverill?

2 MR. HOGAN: We were made aware that there were  
3 some Native American sites that were ripped. Is it  
4 Wilder that I'm thinking of when we took the site visit?

5 MR. RAGONESE: The ones you're thinking of I  
6 think are Bellows Falls.

7 MR. HOGAN: Okay, sorry.

8 My answer is no.

9 (Laughter)

10 MR. MUDGE: I'll have to dig that up.

11 MR. RAGONESE: Well, as I said earlier, we have  
12 done an entire Phase 1A assessment of the Wilder project,  
13 including the April. So any. And many unknown and first  
14 discovered potential sites were identified in our study.

15 So I can't speak to the site you're talking  
16 about.

17 MR. MUDGE: There was an article some time ago in  
18 the Valley News -- I'll have to figure out how to find it  
19 again -- where Native American bones were exposed as a  
20 result of the erosion caused by the operation of Wilder Dam.

21 MR. HOGAN: And that's upstream.

22 MR. MUDGE: That's upstream. That's at about at  
23 the end of the 45 miles.

24 MR. HOGAN: Quick question, John. I know you've  
25 done erosion surveys and you've done the Culture Resources

1 1A surveys. Have you done any overlap, comparison.

2 MR. RAGONESE: That's where the -- yes. The 1A.  
3 The 1A was not limited to what we -- but that's why we did  
4 the survey first, so that there was some basis for  
5 identifying the scope of what would need to be done when we  
6 sent the archaeologist out. They weren't limited to only  
7 looking at that erosion because we mapped it, and not that  
8 erosion because it happened last week. They looked at it  
9 all.

10 But they did use the -- the primary thing they  
11 were looking for were exposed banks that they looked at. So  
12 they looked at every exposed bank on the project, or  
13 archives. And they did this actually post-Irene. So it's  
14 fairly current.

15 MR. HOGAN: Other comments regarding cultural  
16 resources in the area, potential project effects?

17 Okay. Developmental Resources. This is where  
18 the Commission will look at the potential project changes in  
19 operation or the cost of potential enhancement measures in  
20 the new license versus the economic benefit of the project  
21 from the project power.

22 So it's what we take into consideration. So if  
23 we're looking at a change in stream flows because of, either  
24 for recreational opportunities or protection of aquatic  
25 habitats or any other reason, we would look at the cost of

1 what does that mean in generation, or the effects on  
2 generation.

3 And so for developmental resources, this is what  
4 the Commission does. We look at the benefits of the power  
5 and the power resources versus the protection of the  
6 environmental resources and so forth; and it's a balancing  
7 act that we do.

8 So if you have comments on the Commission's  
9 evaluation of developmental resources, I'd love to hear  
10 them.

11 MR. RAGONESE: Ken, I just would add that I think  
12 this is where a part of the river model comes in as well,  
13 because the model does look at the economics impacts as well  
14 as the generational water quantity as well. It will have  
15 real-time New England energy prices for which the impacts or  
16 alternative operating scenarios, or whatever it might be,  
17 habit stabilization, consequences that you can equate to an  
18 operational change that will be encompassed, and you'll be  
19 able to evaluate what the impact is economically.

20 MR. HOGAN: Okay. Those are the resource areas  
21 we identified. I note that there are a handful of people  
22 who signed up to provide spoken testimony. Have we covered  
23 that already, or do folks have statements that they now want  
24 to read into the record? I don't want to cut anybody short.

25 Everybody's happy?

1 AUDIENCE: I have a question.

2 MR. HOGAN: Yes, sir.

3 AUDIENCE: Sorry if it seems redundant. A lot of  
4 talk about how you can get a study brought forward. If the  
5 consensus of this room or of this particular meeting, has  
6 somewhat of a consensus as you said the stakeholders, of the  
7 ebb and flow of the river and what was perceived of an  
8 erosion concern, would that not capitulate a study? Or  
9 does it -- I know this was sort of asked already, but if  
10 tomorrow you go to the site and you go away, you say "Geez,  
11 these folks have said there's something going on in the  
12 river, that rising and lowering and erosion."

13 Does somebody have to by March 1st ring the bell  
14 to make sure that is brought to the forefront?

15 MR. HOGAN: The issue has been brought to the  
16 forefront, and something that we will definitely consider.

17 I can't guarantee you that we're going to ask for  
18 it, because we're going to be looking at multiple things.  
19 We're going to be looking at the study criteria; can we  
20 address the study criteria that supports the need for this  
21 study? You know, we seek your input to help inform us on  
22 the study criteria.

23 So like I said, we're down in Washington, D.C.  
24 You know, we're not the most educated people about this area  
25 and this spot; you guys know the information that's

1 available that's out there; the engineering study that was  
2 done on the road, I had no idea that that existed; but  
3 tonight we learned about it. I've asked for it to be placed  
4 on the record.

5           So there's -- it's why we're here. You have a  
6 key knowledge that we don't possess, and it could be that  
7 we're going to go back and we're going to look at what we  
8 know, and we may decide 'yes, it's appropriate for us to ask  
9 for an erosion study.'

10           But if we feel -- if in the absence of what we do  
11 know we feel that the existing information seems appropriate  
12 for us to do our analysis, we may not ask for that erosion  
13 study. So we have to be told why that erosion study needs  
14 to be done; and that's what the criteria do.

15           MR. GEIGER: Again Kevin Geiger, Two Rivers.

16           Should for some bizarre reason that not get asked  
17 for, then when that comes out, the proposed study plan comes  
18 out, then that kind of goes through its own wash cycle,  
19 correct?

20           MR. HOGAN: Exactly.

21           MR. GEIGER: And then people again get to go,  
22 well why, or not.

23           MR. HOGAN: And if FERC then asks for something  
24 and we're all sitting around the table talking about erosion  
25 studies, and you know, it's another opportunity for you to

1 convince TransCanada and FERC why this erosion study is  
2 appropriate, and maybe we have some questions why we didn't  
3 ask for it right up front, and that clarification process  
4 can come through at 90 days.

5 MR. GEIGER: Okay, so that's in that kind of  
6 Block 7 on the chart.

7 MR. HOGAN: Can I take your word for it?

8 MR. GEIGER: Well, there's 90 days.

9 MR. HOGAN: Yes. It's between Box 6 and 8, and  
10 it's a 90 day window. As I said, the regulations require  
11 one meeting, but I'm expecting and I think John has  
12 indicated that they want to address the issues --

13 MR. RAGONESE: It will be one long meeting.

14 (Laughter)

15 MR. HOGAN: Sounds like, in my talkings with  
16 John, that TransCanada wants to work collaboratively to some  
17 end. Can't say that they're going to agree with everything,  
18 and can't say that they're going to disagree with anything,  
19 so.

20 Is that fair, John?

21 MR. RAGONESE: Yes. I mean, we like the science,  
22 too, but we do like it tied to project operations, not other  
23 factors.

24 MR. HOGAN: Any other questions?

25 Process, open house, right now.

1                   AUDIENCE: Good job.

2                   MR. HOGAN: Thank you.

3                   (Whereupon, at 10:24 p.m., the evening scoping  
4 meeting concluded.)

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UNITED STATES OF AMERICA

FEDERAL ENERGY REGULATORY COMMISSION

Office of Energy Projects

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TransCanada Hydro Northeast, Inc.

Wilder		Project No. 1892-026 -
Bellows Falls		Project No. 1855-0145
Vernon		Project No. 1904-073
	New Hampshire/Vermont	

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WILDER PROJECT - Evening Meeting

Kilton Public Library

80 Main Street

West Lebanon, New Hampshire 03784

Monday, January 28, 2013

The evening scoping meeting, pursuant to notice,  
 convened at 7:20 p.m., before a Staff Panel: weather delays

1 KEN HOGAN, Project Coordinator, FERC

2 MARY GREEN, Geology and soils, FERC

3 RALPH NELSON, Geology and soils, FERC

4 MARY McCANN, Endangered species and

5 macroinvertebrates, FERC

6 MICHAEL SEARS, Fisheries and aquatic resources,

7 FERC

8 BRETT BATTAGLIA, Terrestrial resources, FERC

9 ADAM BEECO, Recreation, land use and aesthetics,

10 FERC

11 ANGIE SCANGAS, Water resources, FERC

12 ROBERT QUIGGLE, Archaeological and cultural

13 resources, FERC.

14 With:

15 JOHN RAGONESE, FERC License Manager,

16 US Northeast Hydro Region,

17 TransCanada Accompanied by EDWIN NASON and EARL BRISSETTE

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## 1 P R O C E E D I N G S

2 MR. HOGAN: Tonight's meeting is being recorded  
3 by a court reporter, so I ask that you speak your name,  
4 affiliation if you're with some organization, and so we can  
5 capture it on the record. We're definitely interested in  
6 your comments.

7 My name is Ken Hogan, I'm with the Federal Energy  
8 Regulatory Commission, and I am the Project Coordinator for  
9 the relicensing of the Wilder project and the other four  
10 projects on the Connecticut River down to Turners Falls.

11 I want to turn your attention for thank you all  
12 for being here tonight. The intent of this meeting tonight  
13 is for us to hear your comments and concerns, your  
14 compliments about the Wilder project, and we're really here  
15 to hear your thoughts on the project.

16 The format of the meeting is we're going to have  
17 Mary Green here, with FERC also, give a little bit of a  
18 background of FERC and who we are; and then I'm going to  
19 talk a little bit about the FERC licensing process that  
20 we're going to be engaged in now for the next five years or  
21 so. And then we're going to go through the issues that FERC  
22 has identified, resource by resource, in the scoping  
23 document; which is this document here. And when we get to  
24 that point, I'll tell you what pages we're on.

25 Before we get to the scoping issues, TransCanada

1 will give a presentation of what their proposal is for the  
2 project; and then while we're doing the resource issues,  
3 they will also inform of us of what studies they've already  
4 done regarding each individual resource, if any.

5 At the end of each resource area, we're going to  
6 turn to the public and ask for any comments or concerns with  
7 the specific resource, and give you an opportunity to let us  
8 know what your specific concerns are with that resource  
9 area. When we get done with the resource areas, we have six  
10 people who signed up to speak. They'll come up to the mic  
11 for anybody who wants to come up and talk, we'll call you by  
12 name.

13 That sound like a plan? And I'm flexible. So  
14 if you don't like it, we can do something different.

15 All right. So Mary, if you want to start with  
16 FERC and who we are.

17 MS. GREEN: All right.

18 AUDIENCE: So I assume at some point in time  
19 we're going to be introduced to this wonderful panel of  
20 people here--

21 MR. HOGAN: You know what? That's a great idea.

22 AUDIENCE: -- at the table, taking notes.

23 MS. SCANGAS: Angie Scangas, water resources.

24 MR. QUIGGLE: Rob Quiggle, archaeological and  
25 cultural resources.

1 MR. SEARS: Michael Sears, aquatic fisheries  
2 resources.

3 MS. McCANN: Mary McCann, aquatic ESA and  
4 macroinvertebrates, mussels.

5 MR. BATTAGLIA: Brett Battaglia, terrestrial  
6 resources and threatened and endangered species.

7 MR. BEECO: Adam Beeco, recreation and land use.

8 MR. NELSON: Ralph Nelson, soils and geology.

9 MR. HOGAN: And I have with me my attorney.

10 MR. BEECO: The very back of the room.

11 MR. HOGAN: Why don't you stand up, Elizabeth?

12 MS. BLADEN: Elizabeth Bladen with FERC. I'm the  
13 attorney for the project.

14 MS. GREEN: I'm Mary Green again, I'm also doing  
15 geology and soils.

16 FERC, the Federal Energy Regulatory Commission.  
17 We are an independent agency that regulates the interstate  
18 transmission of electricity, natural gas, and oil. For our  
19 organizational structure, we have five commissioners that  
20 are appointed by the president. Our division is under the  
21 Office of Energy Projects; we are Hydropower Licensing,  
22 which includes relicensing existing projects and licenses  
23 for new construction.

24 Our hydropower jurisdiction comes from the FPA.  
25 Commission authorization is required for nonfederal hydro

1 projects that are located on navigable waters, located on  
2 public lands of the U.S., using surplus water from a federal  
3 dam and located on commerce clause waters constructed after  
4 1935 and connected to the grid.

5 So who we are and what we do, in going through  
6 the licensing process.

7 MR. HOGAN: Quick show of hands; who has heard of  
8 FERC before?

9 (Show of hands)

10 MR. HOGAN: Room full of experts.

11 MS. GREEN: And you learned it all from my  
12 presentation.

13 (Laughter)

14 MR. HOGAN: How many of you are familiar with the  
15 Integrated Licensing Process, so I can figure out -- most?  
16 We've got a few folks here who are not.

17 The handout at the table up front, with the  
18 colorful flow chart, did everybody get a copy of that?

19 This is the Commission's Integrated Licensing  
20 Process. And I'm not going to go into any detail on the  
21 green boxes; in fact, I'm probably just going to cover the  
22 first row here, is that okay? Carries through pretty much  
23 the next year.

24 So I want to, it's the next few months that are  
25 kind of critical to us in this stage; currently we are on

1 Box 4, where the Commission holds its NEPA scoping meetings;  
2 that's what we're doing tonight.

3 And again, we're interested in your comments.  
4 Box 5 is an opportunity to file written comments, study  
5 requests, and comments on the PAD. So comments on the  
6 proposal, comments on the PAD and study requests. And I'm  
7 going to get into study requests and comments in just a  
8 second.

9 Once those comments and the transcripts from  
10 these meetings that we have are in the Commission's record.  
11 The next step is for TransCanada to put together a study  
12 plan or to address these specific issues that have been  
13 raised throughout the scoping process; and wherever  
14 information gaps may exist, they need to be filled.

15 After that process, once that proposed study plan  
16 comes out, there will be a public document, and there's a  
17 90-day period of time where stakeholders can engage with  
18 TransCanada to develop what we call a revised study plan.  
19 So we have a draft and then a final.

20 The Commission's regulations do require one  
21 meeting, after they provide a proposed study plan, and then  
22 again we have this window of time where we try to -- we call  
23 it the informal dispute resolution process on the studies;  
24 try to work out the various with the applicant and FERC, and  
25 things of that nature.

1                   So John, I'm assuming that you're planning to  
2                   have multiple meetings?

3                   MR. RAGONESE:   Just one.

4                   MR. HOGAN:     Just one?   Okay.

5                   MR. RAGONESE:   Really, we are not setting a lot  
6                   of expectations as to the number; we really want to take  
7                   issues, get them organized, get our hands around them, and  
8                   then in addition probably, at some point I'm going to want  
9                   to identify stakeholders that have a particular interest in  
10                  a resource, so that we don't have a multitude of people all  
11                  trying to help develop and revise a study plan, really get  
12                  more of a working group approach to developing a final study  
13                  plan.

14                  MR. HOGAN:   This is John Ragonese with  
15                  TransCanada.

16                  So after the revised study plan gets filed,  
17                  there's another comment period for stakeholders to say 'hey,  
18                  my issue hasn't been addressed' or 'I thought my issue was  
19                  addressed but apparently it wasn't' and that those comments  
20                  come into FERC.  And once we receive those comments, the  
21                  Commission will make a ruling on the study plan, on the  
22                  revised study plan, and we will issue a study plan  
23                  determination, which is an order to TransCanada to implement  
24                  the study plan as is or as modified, or with additional  
25                  studies.  And that's a direct Commission order to

1 TransCanada to do so.

2 There is a formal dispute resolution process. If  
3 a federal or state mandatory commissioning industry  
4 disagrees with the Commission's ruling on a study plan  
5 determination, if we think that we should have required a  
6 study that we didn't or a component of a study and we  
7 didn't, there is a process available to them to petition  
8 FERC to revisit it. I know that's not going to be the case  
9 here, so I'm not going to get into too much detail; also I  
10 don't think there are any federal or state agency folks  
11 here.

12 Are there?

13 No. Okay, so. Once that determination comes  
14 out, like I said that's a directive to TransCanada to  
15 implement their study plan and then typically it's a year or  
16 two years of studies that would be undertaken, and that's  
17 why I'm not going to go beyond that point tonight. It is a  
18 very lengthy process; there are going to be multiple  
19 opportunities for public input and involvement, and this is  
20 just the first step in the process; so I want to make sure  
21 everybody understands that.

22 Page 2 of this colorful handout is the schedule  
23 we've got laid out. This one actually has the dates for  
24 this process. We just put it there as a tool, a quick  
25 reference tool for you. That schedule is also in the

1       scoping document. So I'm not going to go through every  
2       step. Except comments are due, for written comments, study  
3       requests and comments on the PAD, March 1st is a critical  
4       deadline for everybody, and I want to make sure -- if you  
5       want to file written comments, you know that March 1st is  
6       that deadline.

7               AUDIENCE: That seems like a pretty short time  
8       frame for those of us in local government.

9               MR. HOGAN: Short time frame from when?

10              AUDIENCE: Today.

11              MR. HOGAN: That's why we noticed it December  
12       17th.

13              AUDIENCE: I'll revise my comments; it's a short  
14       time frame from December 17th for those of us in local  
15       government.

16              (Laughter)  
17       Town government moves slowly.

18              MR. HOGAN: Name?

19              MR. FULTON: Neil Fulton, from Norwich.

20              MR. HOGAN: We get lots of criticism about our  
21       deadlines; I hate them myself, but we also had lots of  
22       criticisms about other licensing processes that the  
23       Commission has, it took too long, so when we developed the  
24       Integrated Licensing Process in 2003, we were being  
25       responsive to stakeholder's concerns about how long the

1 licensing process took. And that's why the deadlines and  
2 the rigid time frames are set. But appreciate the comment.

3 I mentioned study requests are due on March 1st.  
4 The third sheet of that handout that I put out is the Study  
5 Plan Criteria or Study Request Criteria. These are seven  
6 criteria that if you plan to prepare a study request, you  
7 ought to be able to answer these questions and address them  
8 in your request.

9 This is a litmus test that the Commission will  
10 use to evaluate each study request, whether it's a  
11 justifiable request and should be done or -- as it has  
12 nothing to do with the project or whatever. But it's our  
13 test. And Questions 2 and 3 or Criteria 2 and 3 are  
14 mutually exclusive, so there are really six criteria that  
15 need to be addressed.

16 I encourage you to do so; if you don't know, if  
17 you're not a resource area expert and you don't know  
18 methodologies for sampling something, you know, a lot of  
19 times we'll say, use scientifically approved practices. You  
20 know, that will answer A, B, C, D and E. What are the  
21 questions that you're trying to get answered. And I've done  
22 that, even at FERC we'll say "I don't want to tie an  
23 applicant's hands and say 'you have to do it this way.'" I'm  
24 going to let you do it however you want, but I need the  
25 answers to these questions. And whatever you propose has to

1 answer these questions.

2 So that is a perfectly acceptable method as far  
3 as I am concerned, and that's Criteria 6, by the way, on  
4 methodology. One thing that you should all be able to  
5 answer, if you're asking for a study is: What is the nexus  
6 of the project and what are the goals and objectives of the  
7 study?

8 What do you want from the study and how is it  
9 related to the project; two very key things for us.

10 The other thing that we want to know, to the  
11 extent that you know it, what is the existing information on  
12 that issue already, and why is that information not already  
13 sufficient? What do we know about it and what don't we know  
14 about it?

15 So the study is to answer what we don't know  
16 about it. So I want to stress that to you. And you may or  
17 may not be planning a study request, but these criteria are  
18 very important to the Commission, and I can't stress that  
19 enough.

20 Does anybody have any questions thus far?

21 MR. RAGONESE: Ken -- John Ragonese.

22 Just to answer the question or the comment about  
23 the short time frame. Without being familiar with how this  
24 works, it's a little overwhelming to get that sense that  
25 your deadline is March 1 and that's all we want to hear from

1       you.

2                   But we will have a proposed study plan, and then  
3       there is a period of time where you can comment on how we  
4       approached the issues in our study plans. And that will  
5       carry beyond the March 1st period of time. So it's not your  
6       only comment period; I just didn't want to give you the  
7       sense that, you know, there's a very short window of  
8       opportunity to comment in this process.

9                   MR. HOGAN: But if you do have study requests,  
10       it's important to meet that March 1st deadline, because when  
11       we look at our determination, and when you evaluate the  
12       revised study plan and we look at the comments that we  
13       received and the outlying issues, we go back to the study  
14       requests. If there wasn't a study request and you're  
15       raising the issue after the revised study plan has been  
16       filed, for us it was a non-issue, so it's coming up late.

17                   So I am stressing that March 1st deadline, and I  
18       appreciate John's clarification that they want to work with  
19       everybody throughout the process, as do we. But we do keep  
20       a very strict public record, and we make all of our  
21       decisions based on that public record. So that's -- and our  
22       process is extremely transparent; we can't be making  
23       decisions based on anecdotal evidence that was off the  
24       record; that's why everything that's said here tonight is  
25       being recorded, and it's going to be clear, when Commission

1 Staff makes its recommendation to the Commission,  
2 it's going to be very clear how we came to that decision.

3 MR. RAGONESE: Ken, briefly, one follow-up.  
4 Again, John Ragonese.

5 In the schedule there's a box for, FERC issues  
6 Scoping Document 2 if necessary. What would be the criteria  
7 that would warrant a revision or versus not, I guess.

8 MR. HOGAN: Good question. Scoping Document 2  
9 will be produced if we miss something, if we did not  
10 incorporate in our Scoping Document 1 which was issued  
11 December 17th.

12 Throughout this scoping process, if we are  
13 enlightened to new issues or that we got an issue wrong and  
14 it doesn't belong there, we'll issue a Scoping Document 2.  
15 I anticipate that we will have a Scoping Document 2 issued  
16 purely because we're not perfect, and there's going to be  
17 several meetings here that we're going to learn information,  
18 that's why we're here. It's rare that we would not issue a  
19 Scoping Document 2.

20 And at that point -- and the idea behind the  
21 scoping document and these scoping meetings is, the  
22 Commission has to prepare an environmental document, an  
23 environmental review of all the Connecticut River license  
24 projects. We're planning to prepare one environmental  
25 impact statement that looks at all five of the projects

1 being relicensed here. And the scoping document, and the  
2 reason we're all here today, drives that analysis. So  
3 you're identifying what the issues are and telling us,  
4 telling FERC what we need to look at in our environmental  
5 review. Nobody better could tell us that than the folks who  
6 live with these projects day-in-and-day-out and are here on  
7 the ground and understand the issues.

8 I can make all kinds of decisions back in D.C. in  
9 a vacuum, but nobody's going to like them; so I really do  
10 need your input. And we want it.

11 One other quick thing before I start getting into  
12 the resource areas. I had a blue brochure here.

13 This is a brochure that we put out from the  
14 Division of hydropower licensing; it says, Get Involved, A  
15 Guide for the Public. I recommend everybody grab one of  
16 these on your way out if you haven't already; take it home,  
17 read through it, it has a lot of information about FERC, it  
18 has a lot of terminology that's used in hydropower licensing  
19 that you may not be familiar with. But most importantly, on  
20 page 12, it has a section on Get Information. And the  
21 Commission maintains, like I said, a very public record. We  
22 have a system called eLibrary where anything that is filed  
23 with the Commission or issued by the Commission gets placed  
24 in the eLibrary. That's an electronic library, an actual  
25 copy of the document, is downloadable in PDF form or

1       whatever format it was loaded up on; it can be a PIF file,  
2       but you can read the actual letter, not just the notation  
3       that TransCanada filed a letter on such-and-such a date;  
4       it's the actual document, you can go and read it. You send  
5       us a letter, you'll be able to read it.

6               There's also a system called eSubscription. And  
7       if you -- and there's instructions of how to sign up for  
8       that. If you sign up for eSubscription, when the Commission  
9       issues a document, whether it be a notice or a scoping  
10      document, doesn't matter what it is, or any other entity  
11      files a document with FERC on a p recommendation that you're  
12      interested in, you'll receive an e-mail with a link to that  
13      document.

14              So it's a really handy tool. If you're  
15      interested and want to stay engaged, I encourage you to  
16      check out page 12 and go through the instructions. If you  
17      don't have a computer, those systems aren't available to  
18      you.

19              Any questions so far?

20              Yes, sir.

21              MR. COUTERMARSH: My name is Mark Coutermarsh.  
22      My wife Martha and I live four miles downriver. You're  
23      going on and on; I don't know -- our problem is erosion.

24              Ever since TransCanada took over, that water goes  
25      up and down, up and down, up and down three times a day. It

1       seems ridiculous. And she has called and e-mailed and can't  
2       get any word -- you know, they just blame it on something  
3       else; but we know it's the dam right there above us, it's  
4       four miles up.

5               Where in this process will we voice our concerns?

6               MR. HOGAN: In about -- there's going to be  
7       multiple opportunities for that, but in about ten minutes,  
8       we're actually going to ask you, okay, where are you on the  
9       river and what kind of erosion are you seeing.

10              But that's exactly why we're here tonight.

11              MR. COUTERMARSH: Okay. I just don't know when--

12

13              MR. HOGAN: Right. Like I said, our goal is to  
14       really get the information from you; and I know I've been  
15       going on. I just want to make sure people understand the  
16       process so that they can be engaged. And with that, I am  
17       going to turn it over to the resource teams to identify in  
18       our scoping document --

19              MR. BATTAGLIA: I think TransCanada --

20              MR. HOGAN: Oh.

21              Who would like to hear what TransCanada is  
22       proposing? I'll take a vote.

23              Okay. TransCanada is going to give a quick  
24       presentation on what the actual proposal is that we're here  
25       to discuss tonight.

1                   MR. NASON: Actually, we're just going to do the  
2 overview, back to the current operations.

3                   MR. HOGAN: Okay. And that's your proposal, is  
4 the current operation.

5                   MR. NASON: Yes, that's true.

6                   MR. HOGAN: So that's the clarification.

7                   MR. NASON: I'm Edwin Nason.

8                   MR. BRISSETTE: Earl Brissette.

9                   MR. NASON: We work with TransCanada, and as  
10 we've already said to Ken, we're going to go over the hydro  
11 overview, then facility facts, and then operational; how  
12 Wilder is operated.

13                   For the hydro overview, TransCanada has dams on  
14 the Connecticut River and also hydro facilities on the  
15 Deerfield River; and on the Connecticut River there are six  
16 hydro facilities. Starting at the top, Littleton, New  
17 Hampshire is the Moore dam and just downstream of that is  
18 the Comerford Dam, and downstream of that is the McIndoes  
19 Falls Dam. And those three together are, we call Fifteen  
20 Mile Falls.

21                   Downstream from that of course is Wilder, and  
22 then Bellows Falls, and then Vernon; and those are the three  
23 projects up for relicense.

24                   One of the things we talk about in operations is  
25 river timing, and when I say timing I'm talking about when

1       there's a change at one station,  
2       and discharge from one plant, how long does it take for  
3       that, the effects of that change are felt downstream at the  
4       next station. And between Moore and Comerford that's about  
5       an hour; and between Comerford and McIndoes it's about  
6       another hour. So those three stations are really very close  
7       together. From McIndoes Falls down to Wilder it's about  
8       eight hours, and from Wilder down to Bellows is another  
9       eight hours; and then from Bellows Falls down to Vernon is  
10      about four hours.

11               All the hydro stations on the Connecticut River  
12      are remote controlled, and they're all controlled from the  
13      Connecticut River control center in the hydro office in  
14      Wilder.

15               Earl?

16               MR. BRISSETTE: I'll go through a couple of the  
17      Wilder facility facts.

18               Wilder Station is located just downstream of the  
19      original dam; it was just upstream of that, Alcott Dam,  
20      which was built in 1926. Wilder was put into service in  
21      1950. Wilder has a normal, average head of 53 feet; it has  
22      three generators with a total authorized installed capacity  
23      of 35.6 megawatts. One of those generators is in Vermont,  
24      the other two in New Hampshire, so the state line goes right  
25      down between number one and number two generators.

1                   They have six tainter gates, they're 30x36 feet  
2                   with a total spill capacity of 16,900 cfs each, and that's  
3                   per gate. Two skimmer gates, 20 feet by 15 feet wide each,  
4                   and then on the New Hampshire side there are four stanchion  
5                   bays, which are 17 feet high and 50 feet wide, and those are  
6                   just boards.

7                   The total project discharge capacity is 157,600,  
8                   and the generators can do another 10,000 cfs. The flood of  
9                   record is 91,000 cfs, and that was in March of 1936. The  
10                  1927 flood record was downstream.

11                  Major projects that have been completed since  
12                  1979. At Wilder, the fish ladder which was installed in  
13                  1987, and that's when the third generator was also  
14                  installed; No. 3 unit. And this generator has two purposes:  
15                  One, it produces electricity, of course; and it's a minimum  
16                  flow unit; but it also provides the attraction water for the  
17                  fish ladder.

18                  AUDIENCE: Is that No. 3?

19                  MR. BRISSETTE: It's No. 3, yes.

20                  AUDIENCE: That's a Francis?

21                  MR. BRISSETTE: It's a Francis wheel.

22                  AUDIENCE: And that's in New Hampshire?

23                  MR. BRISSETTE: It's in New Hampshire, yes.

24                  AUDIENCE: Thank you.

25                  MR. BRISSETTE: And the station was automated,

1 remote, and that was done in 1998. Of course, that's run  
2 out of Wilder.

3 MR. NASON: So back to the operations for Wilder,  
4 I'll start with the reservoir. Wilder's reservoir has a  
5 drainage area of 3,375 square miles. The reservoir is 45  
6 miles long, goes all the way up to Haverhill, New Hampshire  
7 and Barre, Vermont.

8 The usable storage volume, that's within our five  
9 feet of operation. is 13,350 acre-feet. And the reservoir  
10 has approximately 3,000 cfs per tenth of elevation. That's  
11 per tenth of foot of elevation in the reservoir.

12 The best way to explain this is with an example.  
13 If your inflow into the reserve was is 3,000 cubic feet per  
14 second greater than your discharge for one hour, then the  
15 reservoir elevation will go up one tenth of a foot.

16 For the Wilder constraints, Wilder has an min  
17 flow that's the same year round of 675 cfs, and that's  
18 almost always done through that Unit No. 3, which actually  
19 discharges 700 cfs. Wilder has a downstream fish passage;  
20 it's April 1st through June 15th, 512 cfs. And in the fall  
21 there's also a downstream fish passage but that's only done  
22 as needed. And there's an upstream fish passage through a  
23 fish ladder, May 15th through July 15th, and in the fall,  
24 September 15 through November 15; and those dates are a  
25 little more flexible, kind of as an as-needed basis.

1           The reservoir has an operating limit of elevation  
2           of 308 feet above sea level to 395 feet above sea level. We  
3           also have an operations limit of .3 of a foot per hour draw,  
4           so we don't draw the pond down more than .3 of a foot in any  
5           one hour.                           And we also maintain recreation,  
6           rec limits for the elevation of the reservoir in the  
7           summertime, just on weekends and holidays. That's where we  
8           change our low limit to 382.5 feet.

9           Also because of the long, long length of the  
10          reservoir, we have what we call a high flow reservoir  
11          profile operation. Basically the inflow end of the  
12          reservoir is a higher elevation than the discharge end, the  
13          downstream end. And when the flows are high, this elevation  
14          difference is greater; so in order to maintain proper  
15          elevation at the upstream end of the reservoir, when the  
16          flows go up we keep the lower end lower. And this starts at  
17          about 10,000 cfs inflow and then it goes all the way up to  
18          20,000. And at 20,000 cfs inflow and greater, we maintain  
19          the elevation at 380 feet, and that's it.

20          As far as scheduling the river, running the  
21          reservoir -- (interruption) -- so each day the hydro  
22          operators will schedule the megawatt run for the next day;  
23          and basically their priority, when they're making the  
24          schedule is first the license compliance, and then the  
25          second is to put the generation in the best hours, meaning

1 the best high high priced hours; and this is during normal  
2 flows in a regular day. For water management we do, you  
3 know, we do review the flows daily and sometimes hourly  
4 during high flows to make decisions about storage reservoirs  
5 upstream. And during high flows the schedule is just water  
6 management; there is no regard for generation because  
7 typically there's enough flow to just generate around the  
8 clock anyway.

9 And I guess that's all we have, unless there are  
10 questions.

11 I guess we did a good job.

12 (Laughter)

13 MR. HOGAN: How about a round of applause?

14 (Applause)

15 MR. HOGAN: Thank you.

16 Yes, sir.

17 AUDIENCE: Just a quick question about your study  
18 requests. I don't see anyplace where those are to be  
19 mailed.

20 MR. HOGAN: In our scoping document, which I  
21 passed out, there is a -- through page -- last paragraph on  
22 page 4, through page 5, there are instructions on how to  
23 file study requests.

24 AUDIENCE: Page 33 has an address.

25 MR. HOGAN: I'm in the wrong spot. Section 6,

1 starting on page 32 through 33 gives instructions on how to  
2 file comments and study requests with the Commission. I can  
3 give you the address right now if you like.

4 Good question. Thank you.

5 For this part of the meeting, I would like to  
6 start by going through the resource areas, by each resource  
7 the items that we've identified as potential project  
8 effects; and TransCanada is going to give us on each  
9 resource identified the studies that they've already done to  
10 address potential information gaps for that specific  
11 resource area; and then we're going to ask you folks if you  
12 have any specific concerns with a given resource area; for  
13 example with the gentleman in the back with erosion we would  
14 cover that under geology and soils, so when we talk about  
15 geology and soils I'm going to seek your input. That's  
16 going to give us some more detail about your concerns.

17 If you want to follow along, we are on -- I had  
18 my thumb on it.

19 Page 24 of the scoping document. And geology and  
20 soils.

21 Geology and Soil Resources.

22 MR. NELSON: Ralph Nelson.

23 So page 24, 4.2.1 is our initial list of issues  
24 or concerns with geology and soils, and I'm just going to  
25 read from this bullet.

1                   Specifically, we're looking at the effect of  
2 project operation and maintenance on river bank erosion,  
3 including the potential effect on protected species,  
4 cultural resources or the structural integrity of adjacent  
5 facilities or critical structures. And that's the first  
6 issue that we have.

7                   One of the things we wanted to point out to you,  
8 too, is you'll note that in the list in that table, there  
9 are asterisks identifying several ones, and those identify  
10 issues and concerns that will be analyzed for both  
11 cumulative and project effects.

12                   AUDIENCE: Does that include roads?

13                   MR. NELSON: Yes.

14                   MR. HOGAN: Yes, I don't know if you caught that.  
15 The question was, does it include roads? And the name?

16                   MS. MacKENZIE: Susan MacKenzie.

17                   MR. HOGAN: And do you mean facility roads or  
18 municipal roads, or --

19                   AUDIENCE: Adjacent structures --

20                   MS. MacKENZIE: Town roads.

21                   Town roads.

22                   MR. HOGAN: Town roads? Yes. If there's a  
23 project effect on town roads, that would be an interest of  
24 ours.

25                   MR. RAGONESE: Ken, do you want me to just chime

1 in after each one of these?

2 MR. HOGAN: Yes, if you have studies that you've  
3 conducted.

4 MR. RAGONESE: Okay. Again, my name is John  
5 Ragonese. I'm the Project Manager for Relicensing for  
6 TransCanada.

7 I'm going to look at these in sort of different  
8 categories. We have a pre application document that we  
9 prepared, which was basically project information, or  
10 information on any studies that might have been available at  
11 the time to provide for specific information in different  
12 resources. And at the time of developing the PAD, we did  
13 not -- or there is a portion in the PAD where a licensee or  
14 an applicant can propose a study, and we did not propose any  
15 specific study on geology and soil resources in the PAD.

16 Again, our thinking is we want to hear what  
17 people's issues are before we necessarily propose what a  
18 study might necessarily be required or should be. However,  
19 we have done a lot of preliminary studies on aspects of the  
20 scope of the issues identified by FERC under geology and  
21 soils. For example, we did a shoreline survey of all of the  
22 project reservoirs, which we tried to identify the most  
23 active erosion locations; those generally being greater than  
24 25 feet. I know we probably missed some out there,  
25 generally speaking; but we try to capture them all. But

1 those are primarily in the reservoir, the project boundary,  
2 so those are in a GIS layer, and they're identified on a map  
3 in terms of length, location, and there is some other  
4 shoreline information as well included with that survey.

5 We also did a -- we had completed, several years  
6 ago, a historic or an archaeological survey of our projects  
7 downstream in Vernon for cultural resources, and we just  
8 completed one in the past couple years for the Wilder  
9 project as well as Bellows. Again, these are within the  
10 project boundary, which is primarily from the dam,  
11 encompasses the reservoir upstream.

12 We completed last year an assessment of our  
13 impact of flows on an endangered species, federally  
14 endangered species called jessup's milk vetch. What we were  
15 trying to do is a response to an agency request to develop a  
16 flow, a stage flow relationship at these sites for the  
17 endangered species; and so we have completed that. The  
18 report is just pending to go to the --. We're just  
19 finishing that up, final draft to go to the agencies. These  
20 are four sites downstream of Wilder. In those cases we were  
21 able to determine that it's only a very significant high  
22 flow, far above our operational flows, that can impact the  
23 lowest member of the various populations that reside at  
24 these four locations. So they're talking about flood flows,  
25 but not station operations.

1                   We did a very intensive survey of rare,  
2                   threatened and endangered species throughout all of the  
3                   project boundary. Our reservoir, our shorelines that  
4                   essentially are areas -- and areas downstream that are  
5                   affected by either project fluctuations of the reservoir or  
6                   project affected flows downstream. That's a study that is  
7                   just getting, again, just being finalized; it will be going  
8                   to the agencies this week. Essentially identifying or  
9                   reexamining any known or historic locations for rare and  
10                  endangered species. It was a very, very intensive study and  
11                  we actually found many more -- some species that had never  
12                  been found before, and many locations that had never been  
13                  documented of existing species on those lists.

14                  We conduct every other year a survey of erosion,  
15                  a downstream project at Vernon; that has just been completed  
16                  and has been submitted to FERC. And I guess I want to  
17                  mention that the issue of soil and geology -- this is not a  
18                  new issue for anyone that was part of the 1970s relicensing  
19                  of the Wilder project; geology, soils, erosion were a big  
20                  issue back then. There's a very pertinent study that was  
21                  done during that relicensing; it's very pertinent to this  
22                  study, this period of time as well, and it's a 1979 Army  
23                  Corps study that was done out of Prell on Connecticut River  
24                  Basin erosion, and we feel that that's a very, very  
25                  important study that should be considered part of the

1 existing record on erosion on the Connecticut River.

2 Some of the planned studies we're thinking of and  
3 looking at, we haven't compiled these into a formal  
4 proposal; but these are actually studies that are ongoing  
5 from our dam safety perspective; these are all taking place  
6 at our Vernon project, but we're not on those today.

7 MR. HOGAN: John -- we're talking about Wilder  
8 today.

9 MR. RAGONESE: That's it.

10 Yes, it's not really clear to me if that's just  
11 for Wilder. These are just for Wilder or not, just curious.

12 MR. HOGAN: As far as the studies you're  
13 proposing, you're not clear if they're --

14 MR. RAGONESE: The scoping meeting.

15 MR. HOGAN: This meeting tonight is Wilder;  
16 tomorrow morning is, we're in Bellows Falls.

17 MR. RAGONESE: Okay, just want to be sure.

18 MR. HOGAN: Now I know we have a question in the  
19 back or a comment in the back about geology and soils and  
20 erosion on property. Would you please state your name and  
21 tell us your concern.

22 MR. COUTERMARSH: Mark Coutermarsh (spelling).

23 MR. HOGAN: Thank you.

24 MR. COUTERMARSH: We live four miles south of the  
25 dam, right where the Ottauquechee River comes in, and we

1 have a boat right on the water there. We do more with the  
2 river than I think anybody around, because we can go out and  
3 I have a motor that is a jet ride so I can go all the way to  
4 Wilder Dam and all the way to Hartman Rapids.

5 And in talking with the farmers and stuff on the  
6 river, and landowners, everybody is very concerned about,  
7 since TransCanada took over, they go up and down with the  
8 water so many times a day. Now I realize it's dollars that  
9 determine what they're after, but somewhere in this process  
10 of relicensing, it seems to me that there should be a little  
11 key put in there so that when there's erosion, there'd be  
12 some money to fix it.

13 It's a real pain, because when you start doing  
14 it, the you run into the State of New Hampshire and the  
15 State of Vermont or with Natural Resources. They all say  
16 you can't do anything without a engineer coming in. Well, a  
17 poor little guy living in a little house on the side of the  
18 river cannot afford to go out and hire engineers to come in  
19 just because his bank is washing.

20 The simple solution would be to dump some rock on  
21 the thing like the town does when it starts bothering one of  
22 their roads. Somewhere along in this process, I wish you'd  
23 bring up the issue of that and how you can either stop the  
24 up-and-down so much or -- I mean, you just stop and think,  
25 because down to 700 cubic feet per second in the morning --

1 all night, I mean. Then in the morning they put it up to  
2 God-knows-what. It can go to 15 or 20,000, and it's an  
3 awful rush of water. And it's very, very bad.

4 Thank you.

5 MR. HOGAN: So just for my own benefit, you're  
6 saying that you have identified through speaking with other  
7 landowners downstream of Wilder and upstream of the Bellows  
8 Falls reservoir?

9 MR. COUTERMARSH: We just know about as far as  
10 the Hartman Rapids, that's as far down as I go.

11 MR. HOGAN: Help me; where's Hartman Rapids?

12 MRS. COUTERMARSH: A quarter mile --

13 MR. HOGAN: So it's above Bellows Falls.

14 AUDIENCE: Sumner Falls

15 AUDIENCE: Seven miles from --

16 MR. COUTERMARSH: -- miles below where the  
17 Ottauquechee River comes in.

18 MR. HOGAN: Thank you.

19 We had a question about town roads and erosion  
20 issues. Do you know of issues that raise that question, or?

21 MS. MacKENZIE: Yes. Susan McKenzie again.

22 Lyme has had several issues, and has severe  
23 issues that are about to wash into the river. One was just  
24 repaired; a section was just repaired south of the North  
25 Fetford --. But the south end of the river road next to the

1 Hanover line is in bad shape; and there is a half mile  
2 section there that needs to be completely redone. The road  
3 is sort of floating at the moment. There's no way to  
4 maintain it as it is.

5 And there are several other areas, I can think of  
6 about six right now that are just, they're straight drops  
7 down to the river, 20 or 30 feet from the pavement, straight  
8 down. Any erosion, undermining of that, pretty soon the  
9 road is going to be in the river.

10 MR. HOGAN: This is upstream of the dam?

11 MS. MacKENZIE: Correct.

12 MR. HOGAN: John, in your studies, did you guys  
13 identify any erosion areas or potential erosion areas that  
14 you looked at, others, the infrastructure? Or did you  
15 consider other existing infrastructures?

16 MR. RAGONESE: The survey we did was from the  
17 river. We did not look at, you know, walk everybody's  
18 fields, walk everybody's roads. It was a survey from the  
19 river to look at basically apparent, active erosion  
20 processes on the banks.

21 I can't say whether or not we captured these, but  
22 we do all these marked on the GIS map.

23 MR. HOGAN: Yes, sir.

24 DR. McINTYRE: I have rather lengthy remarks.  
25 I'm Ross McIntyre.

1                   MR. HOGAN:  Ross, are they about geology and  
2                   soils?

3                   DR. McINTYRE:  Yes.

4                   MR. HOGAN:  Okay.

5                   DR. McINTYRE:  I think it's important -- as I  
6                   looked over the pre application document, there are synopses  
7                   of studies in that by Simmons in 1979 that were just  
8                   mentioned, and Kleinschmidt in 2011.  And in that document,  
9                   it's clear that none of these studies have involved any  
10                  quantitative measurements of erosions in terms of grams of  
11                  soil or tons of soil, or relating this in any way to river  
12                  levels or the rate of change in river levels.

13                  And it's clear that up and down the river the  
14                  landowners have this feeling that when the water is high and  
15                  then drains suddenly down, or at the rate that it goes down,  
16                  at I guess .2 of a foot per hour, that the water that's been  
17                  absorbed by the soil then exits the soil and carries with it  
18                  soil into the river, or at least down the bank onto this new  
19                  berm that is reported in the studies that are mentioned in  
20                  the pre application.

21                  Now when one reads the studies that are in the  
22                  pre application document, one gets the feeling, distinct  
23                  feeling that the opinion of these people that have looked at  
24                  this is to discount this possibility that there is in fact  
25                  soil being carried out when the water level drops and the

1 soil has been saturated at the time of higher water.

2 So we have this problem of the landowners  
3 complaining about this theoretical possibility of what's  
4 going on, and the pre application document saying it doesn't  
5 happen. And I think we really need to get some information  
6 on this, one way or the other that can be quantitated in  
7 pounds of soil and gallons of water, or however you wish to  
8 measure it.

9 I find other things related to this in the  
10 document. I first of all want to mention that the benefits  
11 of hydropower are increasingly important as renewable energy  
12 becomes a national priority; but the value of the project to  
13 the operators as well as the community will best be served  
14 by ensuring that the useful life of the project is not  
15 compromised by preventable loss of reservoir capacity, which  
16 would occur should large amounts of siltation occur over the  
17 years as river banks crumble.

18 Page 314 in the pre application document, the  
19 statement is made that the project is operated on a daily  
20 cycle run-of-the-river mode where the daily inflow matches  
21 the daily outflow. This may result in modest daily pond  
22 fluctuations due to upstream project-related generation,  
23 mainly at the downstream end of the Wilder reservoir due to  
24 the pitch of the river. But relatively constant water  
25 levels are maintained.

1           I paddled my canoe on the Connecticut River in  
2           1949, prior to the closure of Wilder Dam, and I find this  
3           statement outrageous.

4           Current Wilder Lake levels are not a run-of-the-  
5           river situation, and it's fortunate that the applicant can  
6           be able to blame the upstream dams if it isn't. A rise or  
7           fall of one or two feet during a single day prior to the  
8           presence of the dam would have signified a major  
9           meteorological event. The words 'relatively constant' used  
10          to denote changes of a foot or more in water levels in 24  
11          hours could only be used by a person wishing to escape the  
12          effects of water level changes, and the statement should be  
13          removed from the document. No unbiased person walking the  
14          river bank on even an occasional basis could agree that the  
15          river levels are quote, "relatively constant" end quotes.

16          So I think that this dam is a wonderful resource;  
17          we need to maintain it; it's good to have clean energy. But  
18          we've got to look at this problem and find out first of all  
19          where there is a problem and put some numbers on it, and be  
20          able to estimate how much soil is being eroded by changes in  
21          water level, and design changes in water level, if possible,  
22          that diminish the risk of river bank collapse. Thank you  
23          very much.

24          MR. HOGAN: Thank you. Ross, did you have a  
25          prepared statement that you'd like to have included in the

1 record?

2 DR. McINTYRE: Yes. I will prepare this and hand  
3 it in.

4 (The statement follows:)

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1                   MR. HOGAN: (Pointing) Yes, ma'am, and then  
2 we'll go to the back and we'll come over here after.

3                   MS. FOWLER: My name is Linda Fowler; I'm the  
4 Town Trustee for Hanover for Pine Park, which is a 91 acre  
5 preserve located on the New Hampshire side, just above the  
6 Dartmouth boat house and rowing facility about 7500 feet. I  
7 also have a prepared statement for you and for the  
8 TransCanada people.

9                   We have concerns about erosion. We're losing  
10 really big trees. Not saplings, but really big trees into  
11 the river, and there are many -- we've got about eight down  
12 now; and then there are probably 12 to 15 that look like  
13 they're going, where the roots are pulling out, and we don't  
14 really know why; but we do know that this has been a  
15 phenomenon that's happened over the last ten years.

16                   The Trustees were in touch with TransCanada, with  
17 a representative in Wilder. We started in 2010, that person  
18 left; then we were dealing with Matt Cole. We had a couple  
19 of meetings with him where we did walk the banks and pointed  
20 out the concerns, and we were under the impression that some  
21 studies were being done, but we haven't heard anything. Our  
22 last communication with TransCanada was in 2011.

23                   What's interesting about our situation is that we  
24 have a flowage agreement, which many landowners probably  
25 have; but we actually have the one from 1944 in which

1 TransCanada very specifically says it has an obligation to  
2 abate erosion of our property. And in 1979 a very  
3 extensive amount of riprap was done, and much of it still in  
4 place and doing a very good job. But the north end of the  
5 park probably, the 500 feet north, has really gotten quite  
6 bad. And they're bad enough now that riprap isn't going to  
7 do it.

8 We've talking about cutting the trees and leaving  
9 the stumps and place and doing some other kinds of things;  
10 but of course the longer it goes and the idea of waiting  
11 until the permit is actually issued in five years means  
12 we're losing a lot more of these big old trees. The park  
13 has been a park since 1905. It's a major resource in the  
14 Town of Hanover. It's a place where the track teams  
15 practice, where people cross country ski, where people run,  
16 and it's an incredibly beautiful spot. And to see these  
17 trees coming down is breaking a lot of hearts in our  
18 community.

19 So we're interested in having TransCanada  
20 maintain its contractual agreement with us as well as  
21 maintaining its overall permit responsibility for mitigating  
22 erosion that occurs because of the operation of this  
23 project.

24 One of the things that is missing is contact  
25 information. You know, it's nice to hear that -- is part of

1 this, but there isn't any way to reach him, and we've found  
2 it almost impossible to get ahold of people at TransCanada;  
3 you get a recording, you get moved around; and there's no  
4 contact information in your documents, either, except for a  
5 secretary where we can mail things.

6 So if you would all have business cards or  
7 whatever, so people like me who are new to this process  
8 could call, and I don't know whether, for example, we should  
9 put in a request for a study. It seems to me that just on  
10 the face of it that TransCanada should have included  
11 mitigation for our shoreline as part of its study plan, and  
12 obviously, they said it wasn't in there.

13 I don't know what we're supposed to do next.

14 MR. HOGAN: First, and I clearly haven't read  
15 your prepared statement, but I'm sure it identifies your  
16 concern.

17 MS. FOWLER: Yes.

18 MR. HOGAN: We will definitely --

19 MS. FOWLER: It has a lot of documentation.

20 MR. HOGAN: Okay. So the next step for you, and  
21 that can satisfy as your comments, they're going to be filed  
22 with the Commission right now, so if you have more comments  
23 you want to add to it by March 1st, you're welcome to do  
24 that. Or --

25 MS. FOWLER: This could suffice.

1 MR. HOGAN: Yes.

2 MS. FOWLER: How do I find out if it's viewed as  
3 being sufficient?

4 MR. HOGAN: They're your comments and they're in  
5 the record now. You mean --

6 MS. FOWLER: We haven't requested anything other  
7 than TransCanada be obligated to do what it's supposed to  
8 do. That doesn't seem to require a study, as far as we're  
9 concerned, but maybe that area needs to be studied. That's  
10 what I'm a little confused about.

11 MR. HOGAN: And I can't advise you whether or not  
12 that specific area needs to be studied or not. It's an  
13 issue. If you'd like it studied, that's a study request and  
14 you can prepare a study request and we'll review it and  
15 raise it.

16 MS. FOWLER: So it sounds like I should do it  
17 even though I've gotten pretty detailed.

18 MR. HOGAN: Most of what you provided will  
19 probably support your study request. Okay?

20 MS. FOWLER: Okay, thank you.

21 MR. HOGAN: Again, I haven't reviewed it. If the  
22 information that you've said is in there is in there, then  
23 that would -- probably you can take that and apply it right  
24 to your study criteria.

25 MS. FOWLER: Thank you.

1 (The statement follows:)  
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1                   MR. BEECO: Ken, your contact information is on  
2 page 5. She was asking about your contact information.

3                   It's on page 5 of the scoping document.

4                   MR. HOGAN: Thank you.

5                   MR. BEECO: Phone and e-mail.

6                   MR. RAGONESE: The notice of the meetings have  
7 all of our addresses on the second page.

8                   MR. HOGAN: Yes. And I didn't bring a copy of  
9 the notice, but -- did everybody gather that? On page 5 of  
10 the scoping document is my contact information.

11                   MS. GREEN: So there's almost two sections of  
12 pages, so in the Introduction section there's a page 5.

13                   MS. FOWLER: It says Comments in Scoping  
14 Meetings. And you go where it says, Purposes of Scoping.

15                   MR. HOGAN: It's technically --

16                   MR. BEECO: It's a cover letter.

17                   MR. HOGAN: There are two page 5s in there?  
18 Inside this document there's a transmittal  
19 letter.

20                   MS. FOWLER: Yes. I saw that.

21                   MR. HOGAN: And it's on page 5 of the transmittal  
22 letter.

23                   MS. FOWLER: On the transmittal. Thank you.

24                   MR. HOGAN: And my contact information is there,  
25 phone number and e-mail address.

1 MS. GREEN: And it's in a paragraph form, so you  
2 kind of have to pull it out; it's not separated out.

3 MR. HOGAN: And then -- did everybody find that?  
4 Okay. So we have here, then there, then back  
5 there. (Pointing) Yes, sir.

6 MR. PARSONS: My name is Marselis Parsons  
7 (spelling). I am an owner of about 1500 feet of property  
8 along the river in Lyme, New Hampshire. My family has owned  
9 the farm there for 50 years. My father noticed erosion  
10 starting almost after we bought, almost immediately after we  
11 bought the property. He asked to put in riprap and the  
12 State of New Hampshire said 'no, we don't like riprap.'

13 I have noticed in the last three or four years,  
14 especially with the rapid rise and fall of the river, which  
15 I measured last summer at approximately 18 inches to two  
16 feet over a period of just 48 hours sometimes on a Friday  
17 and Saturday, that there appears to be more erosion.

18 I would suggest two things: About 600 feet of my  
19 property was taken by the Town of Lyme for the road project  
20 that was referred to earlier at a cost of what, \$800,000 the  
21 town repaired the River Road, which is an historic road.  
22 Just as an aside, it used to be the main coaching road from  
23 Boston to Montreal. But it started to sink into the river.

24 I would suggest you contact Holden Engineering of  
25 I believe Concord, which did the study for Lyme, saying that

1 the river bank was being eroded. It was evident when trees  
2 started to fall into the river. There is no erosion on my  
3 property from any other source; there are no streams and the  
4 land slopes, if anything, away from the river, not into the  
5 river; and yet the bank was eroded at the bottom. Clearly  
6 visible during the summer from people who went by in boats.  
7 Clearly some erosion due to boats; water skiers, recreation.

8 But I support Dr. McIntyre's call for a study  
9 that would measure the amount of erosion due to the rapid  
10 rise and fall of the river. I'm not a scientist, but I  
11 certainly believe that that's part of the cause, and I'd  
12 like to see a scientific study that either refutes it or  
13 confirms it.

14 I'm told that there are a few organizations, most  
15 notably Dartmouth College, that insisted on abatement from  
16 the Bellows Falls Hydroelectric Company when they gave them  
17 flowage rights 50, 60 years ago. I don't know if that's  
18 true; I'm sure there are people here who may know that.  
19 Unfortunately, the predecessors on my property were not  
20 smart enough to make that kind of an arrangement.

21 But anyway, at the very least, I'd like to see a  
22 study as Dr. McIntyre suggested. Thank you.

23 I'm afraid I don't have a prepared statement, so.

24 MR. HOGAN: That's okay.

25 You mentioned three to four years. I've have

1 also heard the last ten years from Linda.

2 John, have you changed operations in the last ten  
3 years?

4 MR. RAGONESE: No, we have not changed our  
5 operations in the last -- I couldn't tell you. Except to  
6 say that there is a competitive market going on so there are  
7 potentially differences in the discharge that you might have  
8 seen over historic periods of time. I would say certainly  
9 not within the last ten years, but something going back.  
10 But in terms of the reservoir, I would say that there is  
11 probably less fluctuation over the course of the last period  
12 of the license than more, just because of the minimum flows  
13 that are operating upstream were not there before, and so  
14 there's a constant flow now coming into Wilder that wasn't  
15 there previously. when the upstream licenses were mandated  
16 to higher flows.

17 MR. HOGAN: When was that?

18 MR. RAGONESE: 2004, we started minimum flows?  
19 2002, 2004, somewhere in that range.

20 I think, it would have been the last ten years  
21 that you would have had the minimum flows coming into  
22 Wilder, that they weren't there prior to.

23 MR. HOGAN: Gentleman has a question.

24 AUDIENCE: How many years has TransCanada had the  
25 Wilder Dam?

1                   MR. RAGONESE: TransCanada acquired these in  
2                   2005. And the competitive market --

3                   AUDIENCE: How many years, 5 to 13? 5 to 12?

4                   MR. RAGONESE: Well, TransCanada has owned the  
5                   project since 2005, so that's about seven or eight years.  
6                   I'm trying to think when the competitive market started.

7                   '98 about. So that's been around for about 14  
8                   years. And that is the world, all generators working. As  
9                   much as we would like to schedule up for generation, it's  
10                  scheduled by what the region demands for prices and quantity  
11                  of electricity.

12                  AUDIENCE: It's dollars.

13                  MR. RAGONESE: It is driven by dollars.

14                  AUDIENCE: It's dollars.

15                  MR. RAGONESE: Driven by values, energy values.

16                  AUDIENCE: And those dollars should be, some of  
17                  them put into controlling the erosion.

18                  MR. HOGAN: We had a question over here, or a  
19                  comment?

20                  MR. MUDGE: Just two brief comments. My name is  
21                  John Mudge, M u d g e, property owner in Lyme, New  
22                  Hampshire. My family bought that land in 1962; we own  
23                  approximately three-quarters of a mile of frontage along the  
24                  Connecticut River; beautiful farmland.

25                  We have put all of that land under conservation

1        easement with the Department of Agriculture in New Hampshire  
2        and with the Upper Valley Land Trust because we think it's  
3        important to preserve that as agricultural land. I wish I  
4        could say that I felt TransCanada felt it was important, or  
5        the previous operators of the dam, it was important to  
6        preserve that agricultural land.

7                    I am told that we are the only landowners, as  
8        somebody who is very familiar with the Connecticut River  
9        Valley and land with two surveys of our land, one done in  
10       1960, one done in 1989. Those documents clearly show that  
11       in that period of time we lost 1.9 acres of land. There's  
12       one line on the survey which is 24 feet shorter in 1989 than  
13       it was in 1960. There's one enormous amount of erosion  
14       taking place on this river. That soil, that silt is being  
15       washed right down --(interruption)-- and we would like to  
16       see something done in order to protect that.

17                    The earliest known photograph that I have of our  
18       land dates from before 1896, an old photograph obviously.  
19       We can date that because the old covered bridge from East  
20       Thetford to Lyme is in that photograph, and that bridge  
21       washed out in 1826.

22                    Photographs of our land appeared in numerous  
23       publications, including a full page photograph in the 1940s  
24       in the National Geographic. All of these old photographs  
25       show beautiful vegetation along the Connecticut River.

1 It's the right buffer, it protects the land from erosion.  
2 The construction of the dam and the management of the dam  
3 has resulted in massive erosion, and I will submit a study  
4 request to have this done.

5 Last November, I think it was November 30th, I  
6 noticed that the water was very, very low. I could walk the  
7 entire three-quarters of a mile of our property on the mud  
8 flats. I took a lot of pictures then of a huge amount of  
9 trees about to come in, trees standing up here just for  
10 their roots hanging in the air, about to come in. The  
11 erosion is undercutting the bank to a tremendous amount.

12 And I'll echo part of the previous comments, but  
13 the New Hampshire department of whatever it is, DES, is most  
14 inhospitable and unfriendly in trying to protect the land.  
15 And that's a separate issue, I realize. But an effort has  
16 to be made to protect this land. Thank you.

17 MR. HOGAN: John, you said you had survey  
18 documentation and --

19 MR. MUDGE: I have it at home, yes.  
20 I can easily make that available to FERC.

21 MR. HOGAN: That would be great. We appreciate  
22 that. Thank you.

23 And I also heard that there was study done by the  
24 Town of Lyme for the road repair by an engineering firm?

25 AUDIENCE: Holman.

1                   MR. HOGAN:  If you're able to, if you plan to  
2                   file written comments, and you want to append that or make  
3                   that available that to FERC, that would be helpful.

4                   Yes, sir.

5                   MR. LEWIS:  Greg Lewis, City Manager of Lebanon,  
6                   New Hampshire.

7                   On behalf of the City, I'm going to read a  
8                   statement.  I don't know if I want to be negative because  
9                   part of the statement is that the City, for the length of  
10                  the water park and the river banks, the river front, along  
11                  the line to Hanover, on down as we border the Connecticut  
12                  River, we think that the form of the bank and interface of  
13                  the water and the ebb and flow of the water and the soils  
14                  along that bank, along that front, need to be studied.

15                  We are clearly unanimous here in the City of  
16                  Lebanon, and I am the Chief Executive Officer of the City  
17                  and speak up on their behalf; that we think that that is  
18                  important, and that needs to be a current -- but this is  
19                  needed to making formal requests for a study we'll examine  
20                  that; we'll also make a formal comment by the March 1st  
21                  deadline.  But we want a study; that's clearly something we  
22                  must know.  That is something that can't be left unknown,  
23                  because in the development of our City from all aspects of  
24                  it, from the logical point of view, we need to know the  
25                  functioning that is going on along that bank; and that's of

1 critical importance to us for all, for many, many reasons.

2 We pride ourselves as an environmentally sound  
3 community. We also pride ourselves on proper use of natural  
4 resources and a balancing with our residents who are along  
5 that area. And there is some more development in there,  
6 namely a River Park. But that's a new development along  
7 there.

8 Another aspect of that soil is there's as very  
9 large brownfield, the Westboro's railway yard. And that's  
10 adjacent to this area. Now, I'm not talking about the water  
11 coming off that, but I'm talking about some of the migration  
12 of sediment and soil, comes into that area as well.

13 So there are these reasons that we feel very  
14 strongly that there needs to be a current study,  
15 understanding the way that's functioning geomorphically, and  
16 we need the fluvial understanding of that water going  
17 through that area. Thank you.

18 MR. HOGAN: Yes, sir.

19 MR. BLAKE: My name is Roger Blake, Norwich,  
20 Vermont.

21 We've owned our property for about 26 years, and  
22 of the last five, eight years we've noticed a tremendous  
23 acceleration in the rate of erosion, such that the  
24 neighbors, conferring with one another from both sides of  
25 the river: "How are you coping with this? How are you

1       dealing with this erosion?" Because it's become a major  
2       concern.

3                   And as the erosion takes away any vegetation from  
4       the banks, it leaves these vertical banks riverside, and  
5       there's no consistency in the soil. And as the river --  
6       which we've also noticed -- rises and falls at a much faster  
7       rate from what it did years ago, it creates this tongue  
8       effect: the water soaks in to the bank, and when the water  
9       leaves, rapidly due to the foam, it draws the dirt with it.  
10      The bank sinks, there's nothing to hold the tree roots, the  
11      trees fall in. And as this happens, it works further into  
12      the property, and you take vertical walls like this that are  
13      eaten out at the bottom because of this rapid flow of water  
14      in and out; there's no protection for the banks.

15                   Throwing stones over the bank, in various sizes,  
16      acts as a buffer to try to filter that soil so it doesn't be  
17      drawn from the bank quite as quickly; acts as a wave break,  
18      but it doesn't prevent the water from going in the bank.

19                   A private research project I've done; since I've  
20      been there, every fall I take a small rowboat and a little  
21      motor and I go as far as I can up the river, and I make  
22      mental notes of where there's erosion, and it's unbelievable  
23      the difference. Some of these banks are vertical now and  
24      they're 20 to 30 feet high. And they don't stand a chance.

25                   We see numerous corn stalks come down by our

1 dock. Farmers are losing acres and acres of land. It's  
2 something that we've seen accelerate within the last few  
3 years, and we feel helpless; there's only so much we can do  
4 manually; we can't put equipment in the river, and getting  
5 rocks down there and placing it, it seems it's just too  
6 little. Thank you.

7 AUDIENCE: Have you consulted with the Department  
8 of Agriculture up in Norfolk?

9 MR. HOGAN: I have not.

10 AUDIENCE: I should point out we have, we have  
11 had three federal grants for repairing our property. The  
12 group in Hartford is very familiar with the erosion on the  
13 river.

14 MR. HOGAN: Do you have a contact?

15 AUDIENCE: Stu Schmidt. Carl.

16 MR. HOGAN: Carl.

17 The Department of Agriculture was invited to our  
18 meetings, and they may attend tomorrow; it's done through  
19 our public notice and our Federal Register Notice that goes  
20 out to all federal agencies.

21 Certainly any source of existing information that  
22 folks know is out there that they think is pertinent to the  
23 issue and is something that FERC should be aware of, I  
24 encourage you to file it or tell us where that information  
25 is.

1                   Any other questions or comments about geology and  
2                   soils or erosion concerns?

3                   AUDIENCE: One of the things that these people  
4                   should think about -- Kevin Keyer (ph) from the Natural  
5                   Resources Council sends out --

6                   MR. HOGAN: I'm sorry? Kevin who?

7                   AUDIENCE: Kevin Keyer. He works for the Natural  
8                   Resources. And he has brought me limbs from willows, and  
9                   he rightfully says, and it works: You take those pieces,  
10                  and all you've got to do is stick them in the water just  
11                  above where the high water mark is. They won't grow right  
12                  in the water, but if you can get them going, and it would be  
13                  a nice project for anybody wanting to do something along the  
14                  river, it helps. The bad part of it is it's beavers work to  
15                  get them --

16                  (Laughter)

17                  That's inexpensive.

18                  MR. HOGAN: Thank you. And I have seen that  
19                  work, also. Any other comments about erosion or geology and  
20                  soils?

21                  We've been going for almost two hours. Do we  
22                  want to take a five, ten minute break, or keep going?

23                  Okay, I'm seeing yes for a break. So let's make  
24                  it a ten minute break, use the rest rooms, and then when we  
25                  come back we'll move on to water resources.

1 (Break)

2 MR. HOGAN: All right, let's reconvene.

3 Thank you. Our next resource area that we've  
4 identified potential project effects on is water resources.

5 And Angie, I'll let you go through what we've  
6 identified.

7 Water Resources - Water Quantity and Quality

8 MS. SCANGAS: So this is Section 4.2.2, following  
9 Ralph. Also on page 24. So the effects of current and  
10 proposed project operations on water quantity as well as  
11 water quality, and particularly called out is dissolved  
12 oxygen and temperature, and then including cumulative  
13 effects of the operations of Vermont Nuclear, or Vermont  
14 Yankee nuclear power plant.

15 MR. HOGAN: That's when we move downstream,  
16 though.

17 MS. SCANGAS: Yes.

18 MR. HOGAN: Before we go on to TransCanada,  
19 identify any studies that they've conducted?

20 MR. RAGONESE: Yes. Well, a couple things. So  
21 along these lines, in our PAD we describe that we will have  
22 a river model that will basically be able to evaluate the  
23 impact of a lot of different scenarios on not only  
24 generation or ability to do it, flows, but it can also  
25 develop -- you know, you can evaluate the quantity of water.

1       There are things that may get proposed, but there really  
2       isn't enough water in the river at certain times to do that.  
3       So the model will be able to identify those constraining  
4       elements of a particular scenario.

5               So we have a very large optimization model that  
6       we will use to evaluate the various proposals.

7               MR. HOGAN: Let me interrupt real quick. So when  
8       we talk about water quantity, we're not only talking about  
9       reservoir fluctuations potentially that the model would be  
10      able to predict, but also downstream discharges --

11              MR. RAGONESE: Yes.

12              MR. HOGAN: -- and basically stream elevations  
13      and flows?

14              MR. RAGONESE: It will not predict downstream  
15      flow elevations.

16              MR. HOGAN: Okay.

17              MR. RAGONESE: We do have some information from  
18      other studies about that; but the model does not model  
19      downstream flow elevations. It does quantity, flows, but it  
20      doesn't do elevations.

21              MR. HOGAN: Okay, but it does do reservoir  
22      elevations.

23              MR. RAGONESE: Correct.

24              MR. HOGAN: Thank you.

25              AUDIENCE: So you don't have stage discharge

1 information downstream of the dam?

2 MR. RAGONESE: For the six miles below Wilder,  
3 but not at every location, no. It's not in the project, so  
4 we don't have -- the model will be able to develop flow, and  
5 there's information that has some stage discharge  
6 information. And we have some studies where there's some  
7 rare species that we have stage discharge information. But  
8 generally speaking, our models don't produce those results.

9 It could be a post-process in certain locations,  
10 but the model is not designed, not intended to.

11 The other, more on the water quality side of the  
12 house, we did conduct baseline water quality assessments  
13 this past year; those are just again -- they'll be filed  
14 with the Commission as well as with the agencies shortly;  
15 there is a final, second draft.

16 Actually -- this is Jennifer Griffin, she works  
17 with TransCanada. Can you just speak to the water quality  
18 one? You have a little more familiarity with some of the  
19 elements and where the locations were. But with respect to  
20 Wilder, what did we measure?

21 MS. GRIFFIN: We measured dissolved oxygen,  
22 temperature, and there were some chemical areas -- I don't  
23 know what you call, so I don't know what all of those were.  
24 But it's also in the PAD, and information on what was  
25 monitored there.

1 MR. RAGONESE: And the preliminary results?

2 MS. GRIFFIN: And the preliminary results, yes.

3 So just above the dam there was a continuous  
4 monitor that was looking at dissolved oxygen and  
5 temperature. There were two stations above that in the  
6 reservoir, not continuous. They were checked on every week.  
7 Once a week they were --

8 MR. RAGONESE: Profiled?

9 MS. GRIFFIN: -- measured, profiled. And then  
10 downstream.

11 AUDIENCE: So you do that vertical profile at  
12 these locations on DO and temperature?

13 MS. GRIFFIN: Yes.

14 And then just downstream in the tailrace. There  
15 is a continuous monitor in the tailrace.

16 MR. RAGONESE: And as all these studies --  
17 although I can't say all of them exactly -- the rare and  
18 endangered species, locations of critical information,  
19 cultural resources, some of those are going to be redacted  
20 versions because we have to protect those by virtue of what  
21 they are, and the agencies don't want that information out  
22 there. But things like water quality, we have a website:  
23 [www.TransCanada-Relicensing.com](http://www.TransCanada-Relicensing.com)  
24 and has the documents and the section and the public  
25 information library sections there are either going to be

1       some formal documents that we filed with FERC, there will be  
2       the documents in all the information such as studies like  
3       this this will be in the public information library on the  
4       web.    So they will be up as well.

5               MR. HOGAN:   So that's it for the studies?

6               MR. RAGONESE:   Those are it for the studies.

7               Yes, sir.

8               DR. McINTYRE:   Some of the discussion this evening  
9       has to do with people's opinions about whether the water is  
10      rising faster, dropping faster, rising more or less than it  
11      was 5 years ago, 20 years ago, 10 years ago.

12              And at least in the documentation I've been able  
13      to find so far, I don't see any way of expressing that.   For  
14      instance, one could show daily levels per hour, per minute,  
15      whatever; real-time levels at the dam or other sites in the  
16      Wilder Lake.   But pretty soon if you do that, you'll have a  
17      tremendous amount of data that is hard for the public and  
18      even experts to understand, until you get a good  
19      statistician to look at it and figure out a way to express  
20      the variability in that data.   And to ask the question, what  
21      is a significant change from five years ago or ten years  
22      ago.   And this has to be done.

23              MR. HOGAN:   John, will the model be capable of  
24      looking at historical conditions and model what it was five  
25      years ago or ten years ago?   Based on period of record.

1 MR. RAGONESE: Well --

2 AUDIENCE: This is an instantaneous --

3 MR. RAGONESE: Let me think about this for a  
4 second, because I'm kind of --. So my answer is yes and  
5 no, I guess.

6 What the model is, is meant to represent. It  
7 isn't -- I mean, we have historic data, but I don't have  
8 historic data as Dr. McIntyre may -- I don't have historic  
9 data at the Orford Bridge, which is really what he's getting  
10 at.

11 For example, if there were 15 gauges in the  
12 Wilder Reservoir, we'd be able to correlate what's either  
13 going on in the dam, what's coming in freakin flows, and  
14 what's coming in from upstream to what's happening in the  
15 reservoir. But our data is at the dam.

16 So just as we mentioned earlier, every time  
17 inflow is above our station capacity, which is 9,000 -- not  
18 20 or whatever you might have heard -- 9,600 or something  
19 like that; or 10,000 let's just say, round up. When flows  
20 are above 10,000 we have to start dropping the reservoir at  
21 the dam to keep it in its banks, of the stream.

22 That's what people may be seeing just as much as  
23 operations due to generation schedule. I don't know what  
24 they all are, but it's a systematic evaluation of  
25 relationships, and the model doesn't do that. You can make

1 a model probably to do that, but our model is designed  
2 around evaluating impacts from baseline conditions, which is  
3 what we do today. We can go back and say 'get rid of all  
4 the minimum flow requirements, all' -- you could go back and  
5 model --

6 MR. HOGAN: You've answered my question. I was  
7 just curious to know if the model was designed to look at  
8 that question or not.

9 Yes, sir?

10 AUDIENCE: On the subject of water quality, this  
11 is the second --

12 MR. HOGAN: Name again.

13 MR. LEWIS: Greg Lewis, City Manager of Lebanon.

14 The Lebanon -- from the city's perspective, we're  
15 very sensitive to the Westboro rail yards; it's a very large  
16 brownfield. And it's approximate to the river, and as I  
17 mentioned earlier about the soil, something about water.  
18 There's no interface between any of the water with regard to  
19 that very large brownfield, and the river end -- and there's  
20 no nexus as to the dam, water dam.

21 You know, we want to make sure that's clarified  
22 and clear, because I know we have concerns about soils and  
23 sediments coming off that brownfield, and they likewise have  
24 concerns about water coming off that brownfield, where it's  
25 going and how it's impacting. And that's of concern to us;

1 that's an unknown for us. But that's one concern that we  
2 will mention in our comments as well. Thank you.

3 MR. HOGAN: Thank you very much.

4 Other comments about water quantity or water  
5 quality?

6 That one was fast.

7 So we'll move on to aquatic resources.

8 Fishery or Aquatic Resources

9 MR. SEARS: Mike Sears, and this is Section  
10 4.2.3, issues for aquatic resources. Include effects of  
11 project operations and maintenance, including fluctuations  
12 in water levels and flow releases on aquatic habit and  
13 resources in the project vicinity. For example, resident  
14 and migratory fish populations, fish spawning, rearing,  
15 feeding and overwintering habitats, mussels and  
16 macroinvertebrate populations and habitat.

17 The next one is effects of project facilities and  
18 operations, including reservoir fluctuations and generation  
19 releases on fish migration through and within project  
20 fishways, reservoirs, and the downstream riverine corridor,  
21 which is also considered a cumulative effect on project  
22 effect. As well as effects on entrainment of fish  
23 populations, which is a project cumulative effect.

24 MR. HOGAN: Any --

25 MR. RAGONESE: Yes. Just a couple things that we

1 have either worked on.

2 In terms of the PAD, we didn't have a specific  
3 study that we identified in the PAD to assess habit and  
4 relationships to project operation on various habitats. We  
5 did identify that pretty obvious or likely PM&E or  
6 mitigation that's going forward, and we will continue to  
7 operate the fish ladders as required; and there is a fish  
8 ladder at Wilder Dam. And there are requirements for  
9 downstream passage at Wilder Dam, and we continue to expect  
10 that there will be use of both of those for one purpose or  
11 another. Currently they are for anadromous fish, Atlantic  
12 salmon at Wilder Dam.

13 In terms of a couple pre-scoping -- well, there  
14 are a couple; one of them applies downstream, but the one  
15 pre-scoping study that we did do two years ago was evaluate  
16 the presence and survey for dwarf wedgemussel; it's a  
17 federally-endangered species of mussels; it's been located  
18 and identified in all three impoundments. So we did a FARS  
19 (ph), we did a fairly extensive survey of the impoundments  
20 and portions downstream of the projects for mussels, and  
21 that report has been submitted to the state agencies, and we  
22 will be posting that study.

23 And that's all that would be related to Wilder  
24 that we've done this past year.

25 MR. HOGAN: Any comments regarding fishery or

1 aquatic resources, and project effects?

2 None. That's a first for me.

3 AUDIENCE: Wait until tomorrow; they'll come get  
4 you.

5 (Laughter)

6 MR. HOGAN: Okay. Terrestrial Resources.

7 Terrestrial Resources

8 MR. BATTAGLIA: All right, moving on. Section  
9 4.2.4, Terrestrial Resources.

10 Some of the initial issues identified are the  
11 effects of project fluctuations in water levels and flow  
12 releases from the project on riparian, wetland and littoral  
13 vegetation community types, and the spread of invasive  
14 species as a result of project operations along the  
15 shoreline of the project. Effects of project operation and  
16 maintenance activities, for example, road and facility  
17 maintenance, and project-related recreation on wildlife  
18 habitat and wildlife.

19 The effects of project operation and maintenance  
20 on river bank integrity and shoreline erosion along the  
21 project reservoir and the stream reaches, and its potential  
22 effects on riparian vegetation.

23 Effects of the frequency, timing, amplitude and  
24 duration of reservoir fluctuations on waterfowl and on  
25 riparian and wetland habitats.

1                   The effects of project operation and maintenance  
2                   and project-related recreation on bald eagles and their  
3                   habitat.

4                   MR. RAGONESE: So in the PAD we did not identify  
5                   any specific future study that we were proposing, and we  
6                   didn't identify any particular identification or enhancement  
7                   measure in the PAD as well.

8                   As mentioned before, in some of the pre-scoping  
9                   type studies, we did perform a shoreline survey. So in  
10                  addition to identifying erosion we were identifying wetlands  
11                  and riparian types or habitats along the shorelines.  
12                  Downstream of Wilder we performed, at those four jessup's  
13                  milk vetch sites, essentially trying to develop stage flow  
14                  relationships and identify the impacts of our operational  
15                  flows for, or flood flows on those endangered species.

16                  And then as I mentioned, as well, the rare,  
17                  threatened and endangered species study, which also looked  
18                  at the riparian location of -- well, I shouldn't say all of  
19                  these species were located on the buffer or the shoreline;  
20                  some were aquatic, some were above. But we identified the  
21                  association between project operation and the various rare,  
22                  threatened and endangered species that we either searched  
23                  for or identified.

24                  MR. HOGAN: John, regarding all these studies,  
25                  did they all occur within the project boundary?

1                   MR. RAGONESE: The jessup's milk vetch are not in  
2 the project boundary. The rare, threatened and endangered  
3 species surveys were in the impoundments; they were within  
4 the project boundary; and the shoreline surveys were also in  
5 the project boundary.

6                   MR. HOGAN: Comments about terrestrial resources?

7                   MR. RAGONESE: I'm not sure people understand  
8 what the project boundary is. Do you want me to explain  
9 what it is? It didn't really come out.

10                   There have been a number of locations described  
11 here that are clearly outside the project boundary. Does it  
12 matter to you or not?

13                   -           AUDIENCE: I think it would be good if you  
14 explained the project boundaries.

15                   MR. HOGAN: Okay. Project boundary is an  
16 administrative line that is proposed by the applicant and  
17 approved by FERC, or approved with amendment, and it's  
18 required to encompass all facilities necessary to operate  
19 the project.

20                   So typically that is the reservoir, powerhouse  
21 facilities, recreation facilities that are required by the  
22 license and any structures, primary transmission line  
23 corridor if there is one; and that's what is required to be  
24 inside the project boundary.

25                   The project boundary does not tie to

1 environmental resource effects or study areas. The reason I  
2 asked the question was I know that they've done a lot of  
3 studies, and I just didn't know if TransCanada limited it to  
4 inside the project boundary because FERC does not  
5 necessarily do that. And I just wanted clarification.

6 - AUDIENCE: But the project boundary does or does  
7 not go up 45 miles to the reach of the pool?

8 MR. HOGAN: It does because it encompasses the  
9 reservoir. But it typically --

10 - AUDIENCE: But downstream?

11 MR. HOGAN: -- typically ends -- the downstream  
12 reach is no longer needed for project operations, so beyond  
13 the tailrace would be outside the project boundary.

14 - AUDIENCE: Even though there's clearly -- and  
15 this is for information even though it may sound -- even  
16 though there are impacts beyond the tailrace downstream --

17 MR. HOGAN: Again, we don't define the scope of  
18 environmental effects or resources to be studied by the  
19 project boundary. It's simply an administrative line that  
20 FERC authorizes the licensee to take, to have control over  
21 this area; and it's for all facilities that are necessary to  
22 operate the project.

23 If we found that there was some area that needed  
24 to be maintained or protected on a regular basis throughout  
25 the term of the license and is downstream, we could

1 incorporate that into a project boundary.

2 MR. RAGONESE: Ken, one clarification: Our rare,  
3 threatened and endangered species study did include  
4 downstream reaches.

5 MR. HOGAN: Yes.

6 MR. RAGONESE: That are affected by project  
7 operation, not just the impoundments.

8 MR. HOGAN: And I was just asking the question,  
9 because I was curious to know whether they limited the scope  
10 of the studies that they've conducted pre-scoping to a  
11 geographic area that was within the project boundary or not,  
12 and John explained that in some cases yes, but that is not  
13 because of the project boundary, just because of where they  
14 were doing it; meaning the riparian edge, which happens to  
15 be inside the project boundary; and then in other cases they  
16 looked at essential project effects downstream on -- vetch?

17 MR. RAGONESE: Jessup's milk vetch and all the  
18 rare and endangered species. We looked -- and when I say  
19 downstream reaches, it would be basically from Wilder's  
20 perspective, anything below Wilder Dam to where it's  
21 impounded, somewhere around the -- the bridge.

22 MR. HOGAN: That river end reach.

23 MR. RAGONESE: Around the bridge. But then we  
24 continued with the same survey, which is now called the  
25 Bellows Falls impoundment reach. So everything from North

1 Haverhill to the Vernon Dam has been investigated for rare,  
2 threatened and endangered species.

3 MR. HOGAN: Does that help?

4 - AUDIENCE: I think that was a good clarification.  
5 Thank you.

6 MR. HOGAN: And I'm sorry this didn't come up  
7 earlier. We don't tie the scope of studies to the project  
8 boundaries.

9 Yes, sir.

10 MR. BLAKE: An example of the loss of habitat,  
11 seven miles north of the Wilder Dam is where the  
12 Ompompanoosuc comes in. For 100 yards both north and south  
13 of where the Ompompanoosuc enters the Connecticut, used to  
14 be quite deep and was excellent bass fishing. When the  
15 water is low, you can walk back to higher area.

16 The erosion we talked about earlier has settled  
17 into this pocket. There's one narrow path where the  
18 Ompompanoosuc continues to drain out; otherwise, that all  
19 would be filled in with mud, and a loss of habitat.

20 MR. HOGAN: So that's an aquatic issue. Okay.

21 MR. RAGONESE: The Ompompanoosuc is a flood full  
22 tributary.

23 MR. HOGAN: And just for the record, can I get  
24 you to state your name again?

25 MR. BLAKE: Roger Blake.

1 MR. HOGAN: Thank you, Roger.

2 And you said it was a deep water pool that's --

3 MR. BLAKE: Yes.

4 MR. HOGAN: Other comments regarding terrestrial  
5 resources, riparian vegetation? We heard some comments  
6 earlier about bank sloughing and the perching of trees and  
7 things of that nature. I think we've kind of got that  
8 covered. But are there other concerns that haven't been  
9 verbalized yet?

10 (No response.)

11 Okay.

12 Threatened and Endangered Species

13 MS. McCANN: Mary McCann. Similar to some of the  
14 other aquatic resources for threatened and endangered  
15 species, some preliminary resource issue that was  
16 identified, and I've just kind of summarized the three  
17 bullets in one.

18 Effects of project operations or maintenance  
19 activities, including the reservoir and downstream flow  
20 fluctuations on aquatic, wildlife and plant species listed  
21 as threatened or endangered under the federal Endangered  
22 Species Act. And John has already mentioned a few of these;  
23 the dwarf wedgemussel and the jessup's milk vetch as  
24 examples, and the puritan tiger beetle is another one. And  
25 this would also be evaluated for a cumulative effects as

1 well.

2 MR. HOGAN: Any comments on threatened and  
3 endangered species?

4 Oh, I'm sorry, John. Have you covered all your  
5 studies on T&E already?

6 MR. RAGONESE: Just. I just re-mention, we did  
7 evaluate jessup's milk vetch locations; we did do a full  
8 assessment for rare, threatened and endangered species, we  
9 did look and did a survey for the other federal endangered  
10 species in our project area, the dwarf wedgemussel.

11 I would note that the puritan tiger beetle is not  
12 in our project; it's a species that is in Massachusetts, not  
13 in our area. So there are -- as I read the scoping  
14 document, as it was just mentioned, the first note was a  
15 cumulative effect but the other two were not noted as  
16 cumulative effects; and they do include the puritan tiger  
17 beetle in their -- so I just want to make note of that, that  
18 that is not in our projects.

19 MS. McCANN: You mean not at Wilder?

20 MR. RAGONESE: Not at Wilder, Bellows or Vernon.

21 MS. McCANN: It's down at Sumner Falls.

22 MR. RAGONESE: No, that is a cobblestone tiger  
23 beetle.

24 MS. McCANN: Cobblestone tiger beetle.

25 MR. RAGONESE: And that is not a federally

1 endangered species.

2 MR. HOGAN: We will modify, for Scoping Document  
3 2 accordingly. But there is potential for cumulative  
4 effects of the TransCanada projects downstream. Mary?

5 MS. McCANN: Yes. Yes.

6 MR. RAGONESE: Yes, we presumed that.

7 MR. HOGAN: Thank you, John.

8 Along those lines, does anybody know of any  
9 species that we may have missed or should be added to the  
10 list? And clearly, we'll be talking with Fish & Wildlife  
11 service tomorrow.

12 Any other comments regarding T&E species in the  
13 projects effects?

14 Okay. Recreation.

15 Recreation

16 MR. BEECO: So Section 4.2.6, Recreation.

17 The adequacy of existing recreation and public  
18 use facilities in meeting existing and future regional  
19 public use and river access needs.

20 Effects of project operations on quality and  
21 availability of flow-dependent and water level-dependent  
22 recreation opportunities, including boating.

23 And adequacy of structural integrity, physical  
24 capacity, and/or management methods to support recreation  
25 use at existing facilities.

1                   MR. RAGONESE: And then in our PAD, we did not  
2 identify a specific recreation-type study or requirement.  
3 We don't typically; there are some, but we didn't  
4 necessarily propose them in our PAD.

5                   In terms PM&E measures proposed, the only  
6 relevant one beyond our continuing to manage our recreation  
7 plans that are currently in our licenses, we do plan to  
8 continue our recreational reservoir weekend summer boating,  
9 higher reservoir levels to assist in recreational boating on  
10 the reservoirs. And then our shoreline survey did include a  
11 survey of public and private recreation noted; again it's  
12 primarily GIS-based. However, we would note that that  
13 survey was done just beyond the recreation season, so we  
14 might have missed something.

15                  MR. HOGAN: Anybody have any comments about  
16 recreation opportunities or facilities that TransCanada  
17 provides?

18                  Sir.

19                  MR. CHRISTOPHER: Good evening. My name is Tom  
20 Christopher. I represent the New England FLOW, American  
21 Whitewater, and I'm also here with one of my colleagues, Bob  
22 Nasdorf, from American Whitewater.

23                  I'd like to start out by acknowledging some of  
24 the previous testimony that we've heard about bank erosion  
25 and some of the problems that were discussed tonight, and I

1 would like to compliment those people who spoke on the  
2 quality of their presentation and the specificity of their  
3 presentation; it was very good and very impressive.

4 And clearly, the erosion is a most important  
5 problem to these people; and it is not to be -- I guess, it  
6 has to be taken very seriously. But on the other hand, so  
7 does recreation. Even though these people are very specific  
8 about their concern, we are just as concerned about the  
9 recreation, the opportunities that we have or do not have.

10 And primarily we're talking whitewater recreation  
11 and canoeing, and seven miles downstream from Wilder Dam,  
12 located in half of Vermont, lies a river reach known as  
13 Sumner Falls. It's sometimes called Hartland Rapids, and a  
14 series of ledges that are sprawled across the river, and  
15 Whitewater Run is about a quarter mile.

16 Where the dam was built, that was the original  
17 Olcott Rapids at the site of the dam. And they've been  
18 completely drowned by the project, thereby eliminating any  
19 opportunity for whitewater paddling to take place.

20 And if regularly scheduled flows that were  
21 consistent were provided, the recreational use of the  
22 resources, particularly at Sumner Falls, would certainly  
23 increase substantially and provide a significant economic  
24 benefit to this region.

25 I want to talk about some impacts, and I'm going

1 to talk about some issues. The most important issue to us  
2 right now is the fact that the Wilder Dam has drowned out  
3 three rapids over the stretch of one mile, plus what has  
4 happened over there at Sumner Falls

5 The second issue that I'd like to talk about, and  
6 although it may not seem germane to some of the other  
7 testimony that we've heard here earlier today, I'd like to  
8 talk a little bit about economics analysis, because of the  
9 real value of the Connecticut River to recreationists can  
10 only be measured with some significant measure of economic  
11 analysis and related socioeconomic impacts, by the fact that  
12 we don't have this resource available to us.

13 The other issue that I'd like to talk about is  
14 the concept of offsite mitigation. I don't think any of us  
15 here this evening thinks that the dam is going to be  
16 removed. More than likely it will get relicensed; but the  
17 fact of the matter is relative to whitewater paddling,  
18 there's no way that we're probably going to be able to  
19 replace that on this site.

20 However, there are other rivers within the region  
21 of this dam that would be available if some sort of offsite  
22 mitigation package that could be developed on those other  
23 rivers. Particularly where you have other federal agencies  
24 that have a range of influence such as the West River with  
25 the Army Corps of Engineers.

1                   So we would ask FERC to look at the concept of  
2                   offsite mitigation relative to whitewater paddling in the  
3                   case where there is very little that they can do to replace  
4                   what we have already lost here. And I'm not suggesting that  
5                   they do that, but we are suggesting that they at least take  
6                   a look at some sort of offsite mitigation.

7                   Relative to the kind of studies that we will be  
8                   looking at for Sumner Rapids or what is left of it, we would  
9                   like to see a controlled whitewater flow study. FERC is  
10                  very familiar with that and the methodology that's been used  
11                  for a long, long time. We would like an economic analysis  
12                  done for this particular region, and we would like the  
13                  economic analysis relative to recreation and whitewater  
14                  pattern and camping and canoeing be based on a contingent  
15                  valuation method of study, which will indicate the  
16                  willingness to pay for additional recreational resources.

17                  And finally, we would -- again getting back to  
18                  the concept of offsite mitigation, we would like a study, or  
19                  FERC could conduct a study or the applicant could conduct a  
20                  study relative to how this might possibly happen in  
21                  conjunction with other resources or with other federal  
22                  agencies.

23                  I would like to compliment the applicant for the  
24                  amount of time they did put into the PAD; we have worked  
25                  with them in the past and it is good to be working with them

1       again, and we hope that we will continue the collaborative  
2       manner of working with them to solve some issues on Wilder.  
3       Thank you.

4                   MR. HOGAN: Thank you, Tom.

5                   MR. CHRISTOPHER: I'll have written stuff for  
6       you.

7                   (Statement follows:)

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1 MR. HOGAN: Sir?

2 MR. NUNEZ: Tad Nunez, Town of Hartford.  
3 Director of Parks and Recreation.

4 I'm here to compliment the Applicant. Several  
5 years back we worked into the lease back in New England, and  
6 so forth, was watching the property deteriorate, the  
7 recreation site appalling. Two years into it with  
8 TransCanada, the relationship with the staff, we now have a  
9 wonderful partnership, a lease, and my department manages  
10 that property, to which now we have a five year Master Plan  
11 that is infused each year with several dollars of grants and  
12 donations and the like.

13 What's important here is the access to your  
14 river. Not a lot about the river. And even on your own  
15 property, or their property, you're losing slumps of  
16 property due to this problem that was talked about earlier.  
17 I'm here to talk about recreation.

18 And with that said, the number of people in the  
19 neighborhood, the number of people in the regional area who  
20 have embraced Kilowatt North and South, or what used to be  
21 the picnic area, Kilowatt picnic area, or the ball field --  
22 but the generations of families that are coming back to that  
23 property and seeing what is occurring because of the FERC  
24 licensing, and was the responsibility of the Applicant, we  
25 in the town take that very seriously and put together the

1 lease. If we did invest any funds; state, federal or local,  
2 that would be managed well. So we have very much an  
3 interest in retaining this license.

4 But more importantly, its integrity of the  
5 Connecticut River and the public access to the river. And  
6 that is one means that two large parcels of property with  
7 paths in between, we now host one of our largest fireworks  
8 displays in the Upper Valley there. Many, many different  
9 nonprofit organizations use it as a destination for on and  
10 off the river, flotillas coming down. But I have to say, I  
11 did not chime in earlier, but there is a direct correlation  
12 somewhere between the rising and the lowering, the  
13 consistency of the river even in the park properties that I  
14 manage today.

15 That's including downriver at Radcliffe Park  
16 where there's a bit of an irony. Many of the towns  
17 including Hartford have very strict riparian buffer setback  
18 regulations to construction. We are putting in more  
19 seedlings and plantings in these park places and  
20 conservation areas to sustain the embankment; but it's a  
21 difficult tussle because we do see the constant up and flow.  
22 And I'm not talking about Tropical Storm Irene; that just  
23 happened to be more a kick in the butt.

24 But I applaud the Applicant for the recreation  
25 use of the Kilowatt North and South parks. Thank you.

1 MR. HOGAN: Yes, sir?

2 MR. SIMS: Hi, my name is Norman Sims. I'm here  
3 representing the Appalachian Mountain Club. My colleague,  
4 Dr. Ken Kimball, will also be representing the AMC, and some  
5 of you may have met him in the past.

6 If I could, I'd like to make several comments  
7 about recreation on the river, and then a couple additional  
8 comments that I don't know where else to put, and I do have  
9 some written documents.

10 The Appalachian Mountain Club dates from 1876,  
11 and it's currently the largest recreation and conservation  
12 organization in the Northeast. We have about 90,000  
13 members.

14 Our interest in hydropower relicensing, and we  
15 have worked on a number of projects in the past including  
16 the folks from TransCanada. It was mostly related to  
17 conservation and recreation.

18 So our interests in Wilder have to do first of  
19 all with the controlled flow study that Tom mentioned  
20 earlier downstream at the Sumner Falls rapid. This has been  
21 done a lot, the procedures are fairly standardized now. I  
22 think the first ones were done on Deerfield River  
23 relicensing, starting in about '98. Sumner Falls is a  
24 popular kayak place, and it's used widely in the region.

25 We also have an interest in the offsite

1 mitigation to make up for the loss of the Olcott Falls and  
2 other things that cannot be replaced as long as the facility  
3 remains. We think that offsite mitigation ought to be in  
4 line with a watershed point of view on the river, such as  
5 has been taken by the Department of Interior in designating  
6 the Connecticut River and its watershed as the first  
7 National Blueway.

8 Other federal agencies that signed onto that  
9 National Blueway concept including the U.S. Army Corps of  
10 Engineers, which signed an MOU with the Department of  
11 Interior, saying that they would contribute to the  
12 recreational development of the watershed.

13 Something Tom didn't mention is that we have an  
14 interest in improved recreational opportunities for  
15 multiple-day canoe trips on the Connecticut River. In the  
16 Northeast if you want to spend two or three days camping in  
17 a continuous canoe trip, about the only place you can do  
18 that is the St. John River or the Allagash in Northern  
19 Maine; you're going to drive seven or eight hours to get  
20 there. It's hundreds and hundreds of miles  
21 from the nearest population center.

22 The Connecticut River is a prime candidate for  
23 that kind of multiple day canoe trip within easy driving  
24 distance, like three hours, of millions and millions of  
25 people. The primary difficulty with making those trips is

1 the stopper dams in the river.

2 And so in relation to that, we will suggest a  
3 study of the quantity, quality and adequacy of the land-  
4 based facilities associated with the Wilder facility. This  
5 study should examine the put-ins, the takeout, the  
6 facilities for canoeing and kayaking, portage routes,  
7 campsites, parking and road access, seasons of operation,  
8 maintenance and sanitary facilities and project lands. The  
9 portage trail, for example, around Wilder Dam is terrible  
10 and needs to be relocated.

11 We also think that these kinds of studies should  
12 include a projection of usage over the proposed 30-year  
13 license. And where necessary, the opportunities for project  
14 owners to buy additional land in order to provide necessary  
15 facilities.

16 If I might mention three other things, and I  
17 don't quite know where to put them. There was someone on  
18 the panel named Bob who had to with cultural resources?

19 That's you. I'm sorry. (Referring to Bob  
20 Quiggle)

21 We have an interest in the historical study of the river as  
22 it existed prior to the construction of the dams, including  
23 photographs of the natural riverbed. We would like to  
24 request additional information on that.

25 I have learned that there may be as many as 300

1 large scrapbooks of photographs and engineering reports on  
2 the original construction of the dams, including photographs  
3 of how the river looked before the dams were there, and  
4 during the construction process. Perhaps only 25 or 30 of  
5 these remain. The others may be scattered around in  
6 different facilities.

7 I'm a professor at the University of  
8 Massachusetts and a historian. I think this is a valuable  
9 historical resource that should be recovered. There's been  
10 some changes in ownership, and some of these documents may  
11 have been scattered over the years.

12 We also have an interest, the AMC also has an  
13 interest in the educational benefits provided by the project  
14 owners to the public. Can they support leadership training  
15 and outdoor recreation in area schools? Can there be  
16 informational signage and kiosks and project facilities  
17 promoting education about invasive species, water flows, the  
18 history of the area, who to call with problems, and how to  
19 get involved.

20 Two items lastly. We have an interest in the  
21 economic health of the owners of all the hydropower dams on  
22 the river that are being relicensed. Are they being managed  
23 in a profitable way that will permit them to continue  
24 providing appropriate maintenance and provide the public  
25 benefits as required in the licenses? We would like to see

1 a study of the financial production at each individual  
2 facility that is being relicensed.

3 In association with that request, we would  
4 recommend that the EIS and FERC look into creating an escrow  
5 decommissioning fund for the Wilder Dam. In an age of  
6 international finance, deregulation, changing ownership, and  
7 global warming, the financial health of the ownership can be  
8 brought into jeopardy by distant events or by catastrophic  
9 events, such as a couple Hurricane Irene storms rolling up  
10 the valley.

11 With the catastrophic failure of the dam and the  
12 financial failure of an ownership, the public should not be  
13 burdened with decommissioning costs. So an escrow  
14 decommissioning fund might be very beneficial. Thank you.

15 (Prepared statement follows:)  
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1 MR. HOGAN: Thank you, Norman.

2 Other comments regarding recreation facilities?

3 MR. MUDGE: John Mudge, again, landowner in Lyme.

4 As a landowner on the river, and others who own  
5 land on the river, we use it a lot for recreation. Over the  
6 years, we've permitted any number of people to camp on our  
7 land if they're coming down in a canoe.

8 My question that comes back to the erosion issue.  
9 They maintain the water at a high level over the weekend for  
10 the summer users. I think that the erosion that is caused  
11 by that, there may be excessive erosion that is caused by  
12 maintaining that high level. So I think that's part of the  
13 erosion study that has to be undertaken.

14 MR. HOGAN: So take into consideration in any  
15 erosion study the effects of maintaining that pool. You  
16 said to do that on the weekends during the summer vacation  
17 system?

18 MR. RAGONESE: We don't maintain the high level;  
19 we maintain the low level higher. Follow me? Instead of  
20 having it go to say 382, we don't go lower than 382.5.  
21 That's what that is. You maintain the low level limit,  
22 higher, for boating access.

23 MR. HOGAN: Yes, sir.

24 MR. LEWIS: Greg Lewis, the City Manager of  
25 Lebanon.

1           A third focus, and this goes to the statement I  
2 was going to make, so I had to waive that statement. This  
3 is the last one from our perspective, to look at all the  
4 issues, and that's recreation.

5           And that the City, in its Master Plan that it  
6 completed last year, on file, on record, and it is a  
7 question of bikeability, walkability, and access to a water  
8 experience. And there's some comments made earlier about  
9 being able to do access to water for water experience;  
10 kayaks, canoeing, other things.

11           The activity levels in recreation areas all are  
12 related to the river; and the river, walking the river,  
13 keeping the river experience. There are pieces along the  
14 river where there is excellent opportunity for river  
15 experience; but the facilities along the river with regard  
16 to recreation where it's appropriate environmentally are not  
17 well-developed. There are pieces of them, but they are not  
18 well-developed.

19           There are some very close, proximate areas to the  
20 conservation land directly above the dam itself that has  
21 increased using by persons going into that area; they're  
22 parking in a parking lot next to the dam in the West Lebanon  
23 area.

24           There's a new development, the river park  
25 development I mentioned earlier where there's going to be a

1 recreational, opportunities that -- a very large development  
2 for that area along 10, going up toward Hanover. We have a  
3 bike ped committee that works on the river walk, either  
4 river -- capacity along the river between Hanover and with  
5 regard to West Lebanon. And then across the river to  
6 Hartford and to White River Junction, and we're looking at  
7 opportunities as to how to improve walkability and  
8 bikeability prospects. There's a new bridge going into West  
9 Lebanon and over to Hartford, and that new bridge is in  
10 development; and there's a lot of discussion and there's  
11 plans about what to do with that bridge by the river.

12 There is also a greenway that is proposed, on the  
13 books, with regard to development by the state in  
14 conjunction with the city, where we would develop a pathway  
15 from downtown Lebanon to West Lebanon, right to the river.  
16 And that river junction there is of course -- once again  
17 I'll mention the Westboro railway yard, which is a  
18 brownfield, a blighted area that has aesthetic issues as  
19 well as the lack of taking advantage of an area that's  
20 probably, its best highest use may be for recreational types  
21 use; and that this area of recreation is all proximate to  
22 rivers, all could be part of river -- and join in an  
23 experience in preserving the river, and the riverfront and  
24 the river bank.

25 So this recreation area is the third focus for

1 the Lebanon definition, and so that's our summary, as I  
2 talked about earlier to preserve the bank, the erosion issue  
3 which was mentioned; look and deal lastly with this  
4 recreation concern; and then this water quality concern that  
5 we have coming out at one particular area.

6 MR. HOGAN: Thank you, Greg.

7 MR. BLAKE: Roger Blake, Norwich.

8 This effort to attract people on the weekends by  
9 holding the water level up is a wonderful thing; it does  
10 attract a lot of people. Two of the things that occur is  
11 that the water quality goes down terribly, because the water  
12 is in (loud noise).

13 It doesn't take any of the sediment and work it along; it  
14 just makes the water very muddy.

15 Also, where can riprap has been done along these  
16 banks, we put it there, we think gives us adequate  
17 protection, but when the water is high, boat traffic  
18 produces waves which seep through riprap, and will go over  
19 it and start it going down the bank on the riprap.

20 One of the things that Dartmouth has done, from  
21 Light Yard bridge north for 2500 feet is a no-wake zone.  
22 And with that, they've eliminated, or they're hoping, some  
23 of the erosion from the boats and also perhaps those that  
24 might be swimming or kayaking or canoeing along their  
25 property.

1                   MR. HOGAN: Any other comments regarding  
2 recreational opportunities or facilities in the project  
3 area?

4                   No? Okay.

5                   Land Use and Aesthetic Resources.

6                   MR. BEECO: All right. Land use. Again the  
7 boiler points are: Adequacy of existing shoreline management  
8 policies and programs to control non-project use on project  
9 lands. And adequacy of shoreline buffers to achieve project  
10 purposes and compliance with local and state requirements.

11                  MR. RAGONESE: In the PAD we had no proposed  
12 studies or PM&E measures that we had identified. And to  
13 date we have not had a specific study or any pre-scoping  
14 studies other than the shoreline surveys, and what not that  
15 we had done prior to.

16                  I will note that the project boundary, and the  
17 Wilder project is probably 95 percent private land with full  
18 conversion rights, and the fee land that we have is  
19 primarily immediately adjacent to the Wilder Dam itself, on  
20 both sides of the dam.

21                  We do have, just the mention earlier of thinking  
22 of, there are a few items that are upstream; one is in the  
23 Town of Hanover; half of it is leased to the Dartmouth  
24 Diving Club; the other half, we have a canoe, through-canoe  
25 rest, camping site that is a non-project recreation, but it

1 is something that we -- and we maintain, we maintain several  
2 throughout the projects, including Wilder Dam. That's all I  
3 have on land use.

4 MR. HOGAN: Any comments regarding current land  
5 use practices or protection measures?

6 Land Use and Aesthetic Resources

7 MR. HOGAN: Okay. We didn't identify anything  
8 for, any concerns for aesthetic resources. Does anybody in  
9 the public have any concerns about the aesthetic resources  
10 of the area associated with the project?

11 (No response.)

12 Socioeconomic Resources

13 MR. HOGAN: Regarding socioeconomic resources,  
14 we've heard today socioeconomic associated with  
15 recreational opportunities with flow recreation downstream  
16 of the project; is it Sumner Rapids?

17 MR. RAGONESE: Sumner Falls.

18 MR. HOGAN: Sumner Falls.

19 MR. RAGONESE: We visited that on the site visit,  
20 you recall.

21 MR. HOGAN: Yes. I remember -- it's the names.

22 Any other socioeconomic-type resources that  
23 should be evaluated in our analysis, beyond recreation?

24 Yes, sir.

25 MR. SIMS: Norman Sims again.

1           I hope that in analyzing these things there's a  
2 careful distinction made between the economics of the  
3 project and the values of the project. A canoeist that  
4 comes down river passes beyond three or four dams, has a  
5 valuable experience but may not spend a dime in doing so.

6           And the contingent valuation studies of  
7 recreation tend to figure out what the value is. And I only  
8 bring that up because you mentioned aesthetics. What is the  
9 value of aesthetics? You can determine that with a  
10 contingent valuation study. What's the value of having fish  
11 in the river or trees along the bank? But they don't spend  
12 any money.

13           The economic impact of a project is actually  
14 something quite different from the values of the project.  
15 And I think the values are more important. They do lead to  
16 economics, but the values are where we're coming from.

17           MR. HOGAN: When we talk about socioeconomics,  
18 we're talking about the potential money that may be raised  
19 within the economy as a result of providing a certain type  
20 of recreational opportunity or things of that nature; but we  
21 also look separately at the economics of the project; and  
22 they are kept separate.

23           DR. McINTYRE: Just point out that as the former  
24 director of the Norris Cotton Cancer Center, our annual bike  
25 ride brings in now \$2.5 million of money from people around

1 the countryside here who come to ride in this valley. And  
2 part of the attraction of riding in this valley is to ride  
3 alongside a lovely reservoir.

4 There are economic implications of what is going  
5 on here that go far beyond generating electricity.

6 MR. NUNEZ: Tad with the Town of Hartford. I  
7 guess that's what I was trying to emphasize; that since the  
8 town took over the management of the park, the number of  
9 people using the park is a direct correlation to what is  
10 happening with visitors coming to that location and their  
11 awareness of TransCanada, the work they have done, being a  
12 partnership.

13 And when I say nonprofits, there are nonprofits  
14 doing their fund raising events on the property, because  
15 we've been allowing them to do with certain site amenities,  
16 but this gentleman has mentioned the fact that AMC, that  
17 there be Port-a-Potties that are cleaned, water, parking,  
18 things of that nature and well managed. But he's also  
19 seeing economic benefits to the Wilder Village, to the  
20 Hartford, and as he mentioned earlier, to other large events  
21 that come up.

22 So these are things that are spun off from  
23 TransCanada doing a good job, to energy; but not necessarily  
24 being good park stewards. They're good park stewards. We  
25 partner. It's been a great relationship, and I hope we will

1 continue. And very responsible. But it is a direct  
2 socioeconomic benefit to the Upper Valley, because we've had  
3 an infusion of new docks, new paths, new picnic tables,  
4 keeping it clean. We had a new path put in by the Vermont  
5 Corps of Engineers or Youth Corps of Engineers.

6 So there's been a whole lot of new energy in the  
7 past five years. It has been a significant impact on the  
8 socioeconomics. I have to tell you, there was one spin  
9 where they thought they were going to build a boathouse, a  
10 very elite boathouse. And the neighborhood became very  
11 clear that this was not going to happen. And it didn't  
12 happen. I'm very happy to say it didn't; I think the  
13 neighbors understood what was best to happen now.

14 But TransCanada did not play a role in a sense  
15 what should or should not be. They understood their role  
16 with FERC licensing. And having it open to the public and  
17 not have it provincial to who could go through the doors of  
18 a clubhouse.

19 MR. HOGAN: So this is the Kilowatt Parks, north  
20 and south?

21 MR. NUNEZ: This would be Kilowatt South. Two  
22 properties.

23 MR. HOGAN: And these are TransCanada rec  
24 facilities.

25 MR. NUNEZ: Correct, that are leased to the town

1 to manage as park facilities called Kilowatt South and  
2 Kilowatt North.

3 MR. HOGAN: And required by the license, the rec  
4 facilities?

5 MR. RAGONESE: Yes, these are.

6 MR. HOGAN: And basically you fund the town for  
7 the management of --

8 MR. NUNEZ: They don't fund this at all.

9 MR. RAGONESE: It's management.

10 MR. NUNEZ: We manage it entirely, including  
11 mowing, grading, and the infrastructure that is necessary to  
12 maintain, including a full master plan. That's something we  
13 decided to embrace in the lease agreement, to sustain it.

14 MR. RAGONESE: Yes. We never had a -- there's a  
15 large ball field there. We don't have a soccer field in our  
16 recreation plan, but their use of the field, the area  
17 included expanding opportunities; it made perfect sense; the  
18 land was there, so there's a soccer field there as well for  
19 the Town's use.

20 We have had proposals, as was mentioned, for a  
21 very, very swanky boat house for skull, you know, rowing for  
22 example; and again when we were looking at that we made it  
23 very clear that this is an area that has to appeal to the  
24 public, and I think that's what Mr. Nunez is talking about,  
25 that the community came to look at this in the same way; how

1 can we better use this for the public as opposed to leasing  
2 it out or potentially restricting it in some way. But  
3 again, these were people coming to us, this was the better  
4 end result of what came out of it.

5 MR. HOGAN: Thank you for the clarification.

6 Go ahead.

7 MR. SIMS: Just one other point about the  
8 socioeconomic. The importance of using contingent valuation  
9 is that it will identify a number of resources, well let's  
10 say revenue generators throughout the economy, the local  
11 economy, whether it is a nonprofit or if it's a club, if  
12 it's a for-profit. But the survey should, on this  
13 particular reach of the river, should certainly include  
14 reaching out to hadras  
15 groups, community groups and things like that to get a true  
16 picture of what the potential economic value will be.

17 MR. HOGAN: Is AMC going to be coming forward  
18 with the study requests for the contingent valuation?

19 MR. SIMS; Yes.

20 MR. HOGAN: Thank you. I wrote it down.

21 Okay, great. Look forward to it.

22 MS. CAVIN: I am Sara Cavin, I work at the Upper  
23 Valley Land Trust. One thing was tying in with  
24 socioeconomic, and also back to land use a little bit.

25 We've worked with a lot of landowners like John

1 Mudge to protect agricultural resources along the river, and  
2 the Connecticut River is one of the most agriculturally  
3 prime areas in the country, actually, with soils that are  
4 really valuable. I think in the past some of the  
5 TransCanada lands in Charleston and Rockingham south of the  
6 Wilder Dam have been leased to farmers, and I think that's  
7 commendable that TransCanada would allow that resource to be  
8 used.

9 So one thought I had was just socioeconomic  
10 related to local agriculture and the industry is pretty  
11 important; and the loss of our equivalent because of all the  
12 issues we've touched on already today, is something that  
13 should be kept in mind in the bigger picture of management,  
14 because it is all, a lot of private lands that are farmed,  
15 and facing some of the consequences of river management or  
16 damage.

17 MR. BLAKE: Roger Blake, Norwich.

18 Socioeconomic, or quality of life -- I speak for  
19 the landowners here. We're very proud to own land along the  
20 Connecticut River; it's a wonderful place. We just want a  
21 good working relationship with this institution which has a  
22 dam on the river, and we want them to realize that they're  
23 dealing with people and people's lives; and it isn't just  
24 how much money they can make by generating power, it's how  
25 they're going about it that's affecting the lives of many

1 people.

2 MR. HOGAN: Thank you, Roger.

3 MR. GEIGER: Kevin Geiger, Two Rivers-  
4 Ottauquechee Regional Commission.

5 Mine is more of a process question than anything  
6 else here; but if there are no issues identified and there  
7 are no proposed studies by the applicant, then would  
8 comments at this meeting generate FERC to decide that a  
9 study is needed?

10 MR. HOGAN: Possibly.

11 MR. GEIGER: So it can be that level or people  
12 could say 'actually, we think this study is needed' and go  
13 through a list of why you need the study and the seven part  
14 list.

15 MR. HOGAN: Just like all of you, any study  
16 requests that FERC feels are appropriate, we have to file  
17 study requests as well by March 1st. And we are working on  
18 those.

19 So comments that we receive here today, and to  
20 the extent that we understand them, we can generate our own  
21 study requests for various issues. But we have to  
22 understand them; and like I said, we may not come up with a  
23 study request that you think is germane; so don't rely on  
24 FERC to do it, you know. It's important that if you feel  
25 that you need a study you tell us. Put in your request, and

1       you may see that FERC also does it, too.

2                   MR. GEIGER: I'm just thinking ahead, that March  
3       deadline comes and goes, if people have given you a comment  
4       and they think 'Oh, that's taken care of.' Post-March 1  
5       we'll find out one way or the other, if it's in that  
6       document that comes out after March 1.

7                   There's kind of no draft between now and March 1  
8       to go 'Oops, you know, I made a comment at the meeting, it's  
9       being taken into account.'

10                  MR. HOGAN: We're talking about two different  
11       things here. Comments and study requests are two separate  
12       things. Comments that address issue that we have not  
13       identified in Scoping Document 1 should get captured in  
14       Scoping Document 2. So issues that you know are germane to  
15       erosion that we haven't identified or have been identified  
16       adequately, we will modify the document to say we are also  
17       going to look at these additional things that we did not  
18       cover in SD1, and when SD2 comes out, SD1 is -- Scoping  
19       Document 1 and Scoping Document 2 -- when SD2 comes out, all  
20       of the changes will be in bold italic print.

21                  So it will be almost a carbon copy except for the  
22       bold italic print where we've added everything; and if we  
23       take something out, I believe we strike it. So you'll see  
24       where the changes have been made.

25                  Regarding study requests, you know, just because

1 FERC doesn't necessarily ask for a study after these  
2 meetings that you think is important, those study requests  
3 are going to the applicant. And the applicant is going to  
4 prepare a proposed study plan. And then there's 90 days  
5 after that proposed study plan comes out to work with the  
6 applicant, FERC, to convince us why that study is  
7 appropriate, at least the applicant will say is appropriate;  
8 what needs to be done, how it needs to be done, and the  
9 information that we're looking for.

10 In the end, if the applicant remains unconvinced,  
11 we're going to take all the information, we're going to  
12 become a judge and make a decision, is this study  
13 appropriate or isn't it? I've sat in on lots of study plan  
14 meetings where I have said to an applicant, 'I think we're  
15 going to need this information.' I've also said to  
16 requestors, 'I'm not convinced how this is a project effect.  
17 If you can convince me, that's what you need to do. You  
18 need to explain to me why this is a project effect, that  
19 it's appropriate for the licensee to be looking at.

20 MR. GEIGER: But if you've already raised it, and  
21 your document as you know -- this is an issue, people can be  
22 confident that that's going to get asked and try to get  
23 answers.

24 MR. HOGAN: Well, not necessarily. Because we  
25 also deal with the criteria. So if we feel that there's

1 existing information that's sufficient on the record or  
2 available to address an issue, we may not have a study  
3 request.

4 But you may feel differently and you may say that  
5 the information is not sufficient, and this is why; you can  
6 convince us that 'okay, we were wrong.'

7 Did that answer your question?

8 MR. GEIGER: Yes.

9 MR. HOGAN: Okay.

10 Any other questions on process?

11 All right.

12 MR. RAGONESE: And people do know that there are  
13 the booklets for the study criteria.

14 MR. HOGAN: I was actually going to mention that.

15 We have a couple of guides for addressing the  
16 study -- well, there is one guide out on the table, it's for  
17 addressing study criteria; it's a new document that we  
18 prepared this past year. Basically gives you examples,  
19 gives you what FERC is looking for in each of the criteria,  
20 and should really help coach you along on how to address the  
21 study criteria.

22 There's another handout out there that's Tips and  
23 Ideas for Implementing the Integrated Licensing Process.  
24 Things that we have found in polling stakeholders such as  
25 yourselves and licensees, how different licensees have taken

1 different approaches, stakeholders have taken different  
2 approaches; what has worked, what hasn't.

3 So it's a tool for everybody involved to think  
4 about how do you want to work through the process? Here's  
5 what's worked, here's what hasn't. But like I said, the  
6 criteria, and we do have a new guide on implementing the  
7 criteria; so the study is a key component for FERC and I  
8 highly suggest if you're planning to write a study request,  
9 you read the guide on applying the study criteria and you  
10 apply it.

11 So we've covered socioeconomic. Any other  
12 comments in socioeconomic?

13 Okay. Cultural resources.

14 Cultural Resources

15 MR. QUIGGLE: Section 4.2.10 of SD1 describes the  
16 issues we've identified in association with cultural  
17 resources. And those are project effects on historic and  
18 archaeological resources, including traditional cultural  
19 properties listed in or eligible for inclusion in the  
20 National Register of Historic Places.

21 MR. HOGAN: We had comments earlier from AMC  
22 asking for historical records of the project construction  
23 and overtime being documented.

24 MR. MUDGE: John Mudge from Lyme, again.

25 Are you aware of the Native American gravesites

1 that have been exposed through the erosion up in Haverill?

2 MR. HOGAN: We were made aware that there were  
3 some Native American sites that were ripped. Is it  
4 Wilder that I'm thinking of when we took the site visit?

5 MR. RAGONESE: The ones you're thinking of I  
6 think are Bellows Falls.

7 MR. HOGAN: Okay, sorry.

8 My answer is no.

9 (Laughter)

10 MR. MUDGE: I'll have to dig that up.

11 MR. RAGONESE: Well, as I said earlier, we have  
12 done an entire Phase 1A assessment of the Wilder project,  
13 including the April. So any. And many unknown and first  
14 discovered potential sites were identified in our study.

15 So I can't speak to the site you're talking  
16 about.

17 MR. MUDGE: There was an article some time ago in  
18 the Valley News -- I'll have to figure out how to find it  
19 again -- where Native American bones were exposed as a  
20 result of the erosion caused by the operation of Wilder Dam.

21 MR. HOGAN: And that's upstream.

22 MR. MUDGE: That's upstream. That's at about at  
23 the end of the 45 miles.

24 MR. HOGAN: Quick question, John. I know you've  
25 done erosion surveys and you've done the Culture Resources

1 1A surveys. Have you done any overlap, comparison.

2 MR. RAGONESE: That's where the -- yes. The 1A.  
3 The 1A was not limited to what we -- but that's why we did  
4 the survey first, so that there was some basis for  
5 identifying the scope of what would need to be done when we  
6 sent the archaeologist out. They weren't limited to only  
7 looking at that erosion because we mapped it, and not that  
8 erosion because it happened last week. They looked at it  
9 all.

10 But they did use the -- the primary thing they  
11 were looking for were exposed banks that they looked at. So  
12 they looked at every exposed bank on the project, or  
13 archives. And they did this actually post-Irene. So it's  
14 fairly current.

15 MR. HOGAN: Other comments regarding cultural  
16 resources in the area, potential project effects?

17 Okay. Developmental Resources. This is where  
18 the Commission will look at the potential project changes in  
19 operation or the cost of potential enhancement measures in  
20 the new license versus the economic benefit of the project  
21 from the project power.

22 So it's what we take into consideration. So if  
23 we're looking at a change in stream flows because of, either  
24 for recreational opportunities or protection of aquatic  
25 habitats or any other reason, we would look at the cost of

1       what does that mean in generation, or the effects on  
2       generation.

3                   And so for developmental resources, this is what  
4       the Commission does. We look at the benefits of the power  
5       and the power resources versus the protection of the  
6       environmental resources and so forth; and it's a balancing  
7       act that we do.

8                   So if you have comments on the Commission's  
9       evaluation of developmental resources, I'd love to hear  
10      them.

11                  MR. RAGONESE: Ken, I just would add that I think  
12      this is where a part of the river model comes in as well,  
13      because the model does look at the economics impacts as well  
14      as the generational water quantity as well. It will have  
15      real-time New England energy prices for which the impacts or  
16      alternative operating scenarios, or whatever it might be,  
17      habit stabilization, consequences that you can equate to an  
18      operational change that will be encompassed, and you'll be  
19      able to evaluate what the impact is economically.

20                  MR. HOGAN: Okay. Those are the resource areas  
21      we identified. I note that there are a handful of people  
22      who signed up to provide spoken testimony. Have we covered  
23      that already, or do folks have statements that they now want  
24      to read into the record? I don't want to cut anybody short.

25                  Everybody's happy?

1 AUDIENCE: I have a question.

2 MR. HOGAN: Yes, sir.

3 AUDIENCE: Sorry if it seems redundant. A lot of  
4 talk about how you can get a study brought forward. If the  
5 consensus of this room or of this particular meeting, has  
6 somewhat of a consensus as you said the stakeholders, of the  
7 ebb and flow of the river and what was perceived of an  
8 erosion concern, would that not capitulate a study? Or  
9 does it -- I know this was sort of asked already, but if  
10 tomorrow you go to the site and you go away, you say "Geez,  
11 these folks have said there's something going on in the  
12 river, that rising and lowering and erosion."

13 Does somebody have to by March 1st ring the bell  
14 to make sure that is brought to the forefront?

15 MR. HOGAN: The issue has been brought to the  
16 forefront, and something that we will definitely consider.

17 I can't guarantee you that we're going to ask for  
18 it, because we're going to be looking at multiple things.  
19 We're going to be looking at the study criteria; can we  
20 address the study criteria that supports the need for this  
21 study? You know, we seek your input to help inform us on  
22 the study criteria.

23 So like I said, we're down in Washington, D.C.  
24 You know, we're not the most educated people about this area  
25 and this spot; you guys know the information that's

1 available that's out there; the engineering study that was  
2 done on the road, I had no idea that that existed; but  
3 tonight we learned about it. I've asked for it to be placed  
4 on the record.

5 So there's -- it's why we're here. You have a  
6 key knowledge that we don't possess, and it could be that  
7 we're going to go back and we're going to look at what we  
8 know, and we may decide 'yes, it's appropriate for us to ask  
9 for an erosion study.'

10 But if we feel -- if in the absence of what we do  
11 know we feel that the existing information seems appropriate  
12 for us to do our analysis, we may not ask for that erosion  
13 study. So we have to be told why that erosion study needs  
14 to be done; and that's what the criteria do.

15 MR. GEIGER: Again Kevin Geiger, Two Rivers.

16 Should for some bizarre reason that not get asked  
17 for, then when that comes out, the proposed study plan comes  
18 out, then that kind of goes through its own wash cycle,  
19 correct?

20 MR. HOGAN: Exactly.

21 MR. GEIGER: And then people again get to go,  
22 well why, or not.

23 MR. HOGAN: And if FERC then asks for something  
24 and we're all sitting around the table talking about erosion  
25 studies, and you know, it's another opportunity for you to

1 convince TransCanada and FERC why this erosion study is  
2 appropriate, and maybe we have some questions why we didn't  
3 ask for it right up front, and that clarification process  
4 can come through at 90 days.

5 MR. GEIGER: Okay, so that's in that kind of  
6 Block 7 on the chart.

7 MR. HOGAN: Can I take your word for it?

8 MR. GEIGER: Well, there's 90 days.

9 MR. HOGAN: Yes. It's between Box 6 and 8, and  
10 it's a 90 day window. As I said, the regulations require  
11 one meeting, but I'm expecting and I think John has  
12 indicated that they want to address the issues --

13 MR. RAGONESE: It will be one long meeting.

14 (Laughter)

15 MR. HOGAN: Sounds like, in my talkings with  
16 John, that TransCanada wants to work collaboratively to some  
17 end. Can't say that they're going to agree with everything,  
18 and can't say that they're going to disagree with anything,  
19 so.

20 Is that fair, John?

21 MR. RAGONESE: Yes. I mean, we like the science,  
22 too, but we do like it tied to project operations, not other  
23 factors.

24 MR. HOGAN: Any other questions?

25 Process, open house, right now.

1 AUDIENCE: Good job.

2 MR. HOGAN: Thank you.

3 (Whereupon, at 10:24 p.m., the evening scoping  
4 meeting concluded.)

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